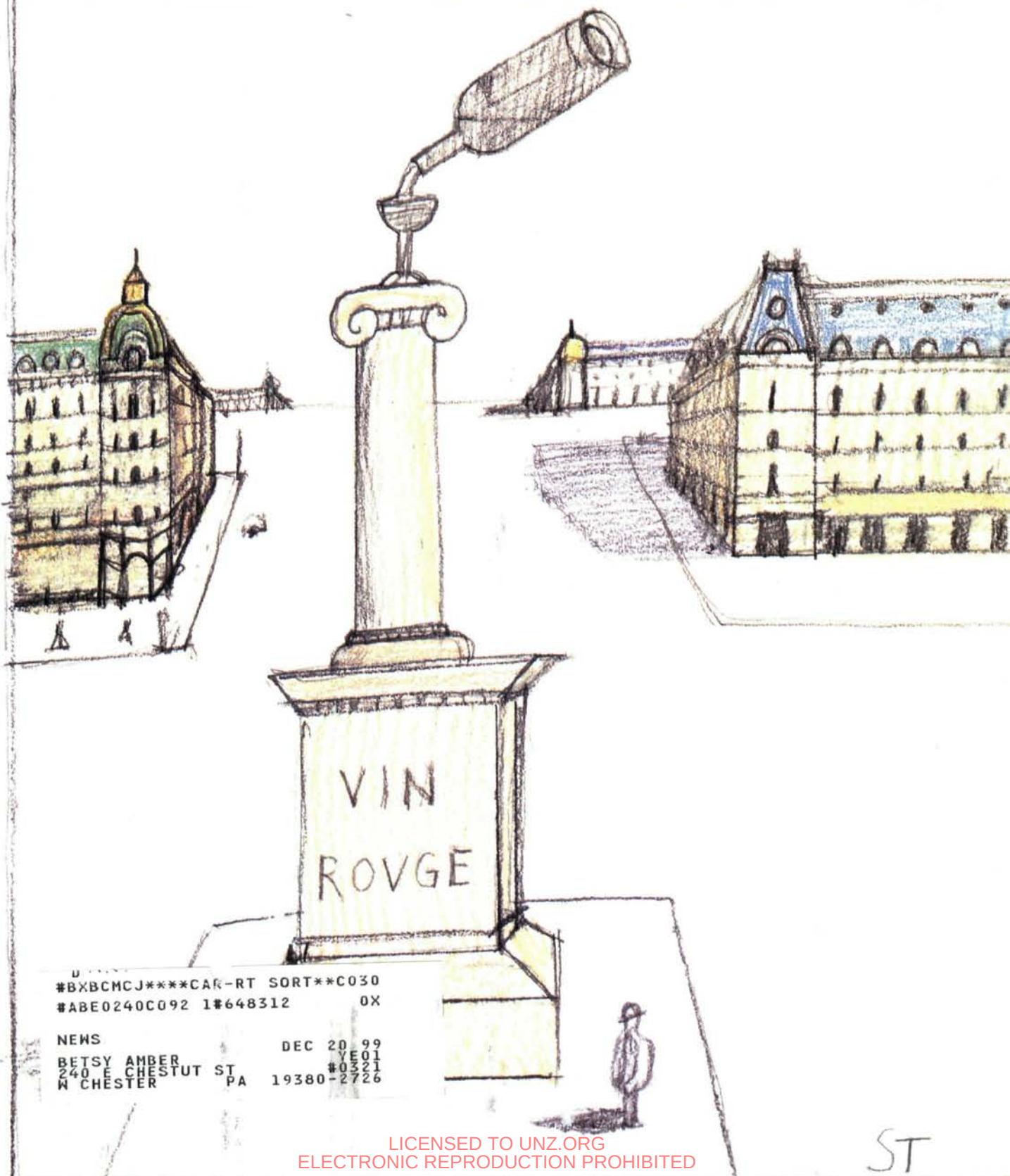


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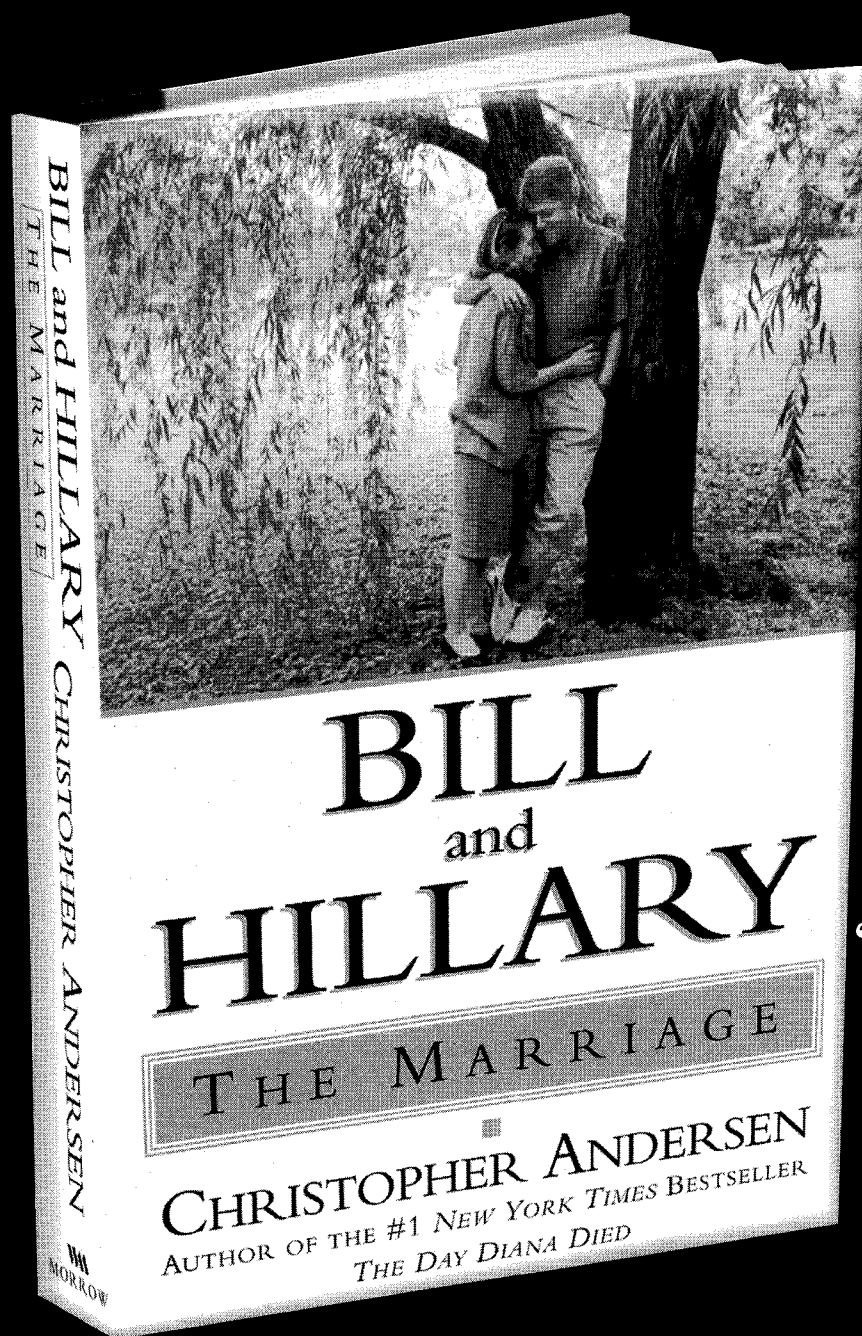
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Drawings" and "Irving Penn Regards
the Work of Issey Miyake."

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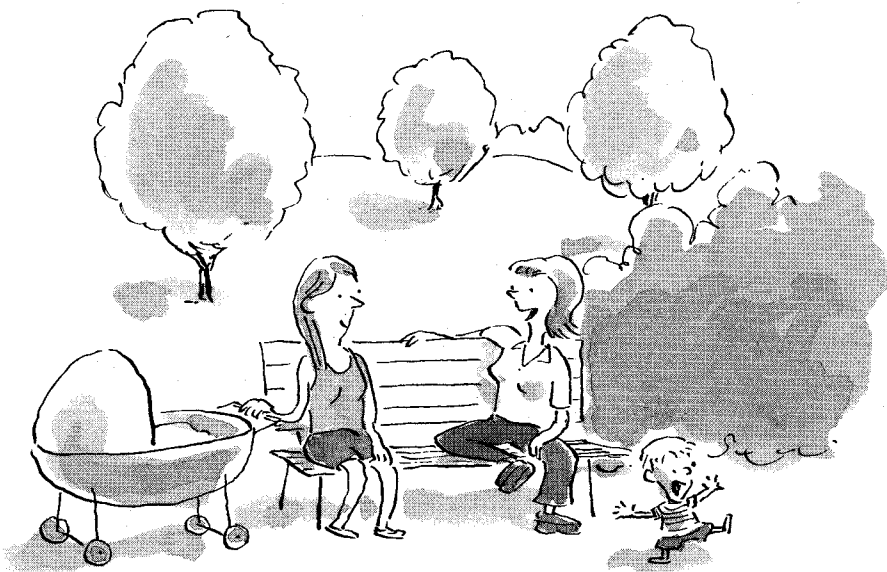
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SAUL STEINBERG (Cover), who died
in May, was a *New Yorker* illustrator
and artist for more than fifty years.
A show of his work will be at the
PaceWildenstein gallery in October. ♦



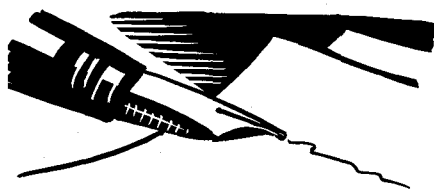
P. BYRNES.

"He's swearing in full sentences now."

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THE MAIL



THE ART OF PERSUASION

In "Horton Hears a Heil" (July 12th), Art Spiegelman welcomes a forthcoming book of political cartoons by Dr. Seuss that originally appeared in the nineteen-forties radical newspaper *PM*, and ranks Seuss's cuddly ambiguities among the best political art. He follows this approbation by dismissing Seuss's cartooning, and also the work of Charlie Chaplin, as being "too frail a weapon to deal mortal blows to Hitler." Similarly, the cartoons of George Grosz and John Heartfield are deemed "not adequate to the task." Chaplin's "The Great Dictator," which portrayed Hitler and Mussolini as buffoons, was pulled from American movie screens after only two weeks of sold-out performances. Grosz's pre-war satiric portrayals of the German ruling class hastened his departure from Germany to the United States in 1932 and provoked the Nazis to later brand him as a "degenerate artist." His admission here was granted on condition that he not do any political cartoons while he was a "guest" in this country. Disarmed, Grosz created no new art of significance. Heartfield adapted photomontage into a communication art form and created works for the German labor newspaper *AIZ*. For this, he was marked an "enemy of the state" and eventually fled to England, where, despite a brief imprisonment as an enemy alien, he continued his powerful, satiric anti-Hitler attacks. Political art has its consequences, for both the artist and his or her intended target. In short, it's a risky business to be an artist of conviction in a world where humor is no laughing matter.

CHARLES KELLER
New York City

As the archivist of Al Hirschfeld's work, I recently came across a year's worth of political drawings that Hirschfeld did in 1943 for *PM*. The images are primarily anti-Axis, but some poke fun at the United States Senate or the actions of the labor leader John L.

Lewis. Unlike Dr. Seuss's, Hirschfeld's contributions to *PM* were not his first or his last political work. In the late nineteen-thirties, Hirschfeld, who had spent his honeymoon in Russia in 1928, supplied political drawings and covers to several publications, including *New Masses*. His move from Karl to Groucho Marx was gradual. He stopped contributing to *New Masses* when it refused to run a drawing of Father Coughlin for fear of alienating Catholic unionists. In 1936, he returned to Russia to find that the populist society he had left had been replaced by one where the military figures looked like Saul Steinberg drawings. As for *PM*, Hirschfeld knew that the paper was doomed when France fell and the paper's headline screamed "Kosher Chicken Racket Exposed." News of France could be found on page 4.

DAVID LEOPOLD
New York City

A FINE WHITE LINE

John Updike's Critic at Large about E. B. White and "Charlotte's Web" (July 12th) reminded me of a sentence of White's that I have always considered the most beautiful in the English language. It opens Chapter 13 of "Stuart Little," "Ames' Crossing": "In the loveliest town of all, where the houses were white and high and the elm trees were green and higher than the houses, where the front yards were wide and pleasant and the back yards were bushy and worth finding out about, where the streets sloped down to the stream and the stream flowed quietly under the bridge, where the lawns ended in orchards and the orchards ended in fields and the fields ended in pastures and the pastures climbed the hill and disappeared over the top toward the wonderful wide sky, in this loveliest of all towns Stuart stopped to get a drink of sarsaparilla." Sarsaparilla. Yes.

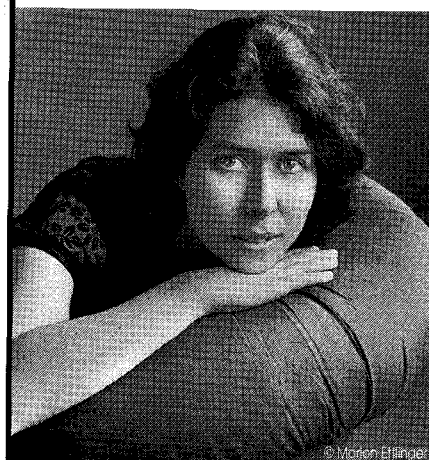
LESLIE S. B. MACCOULL
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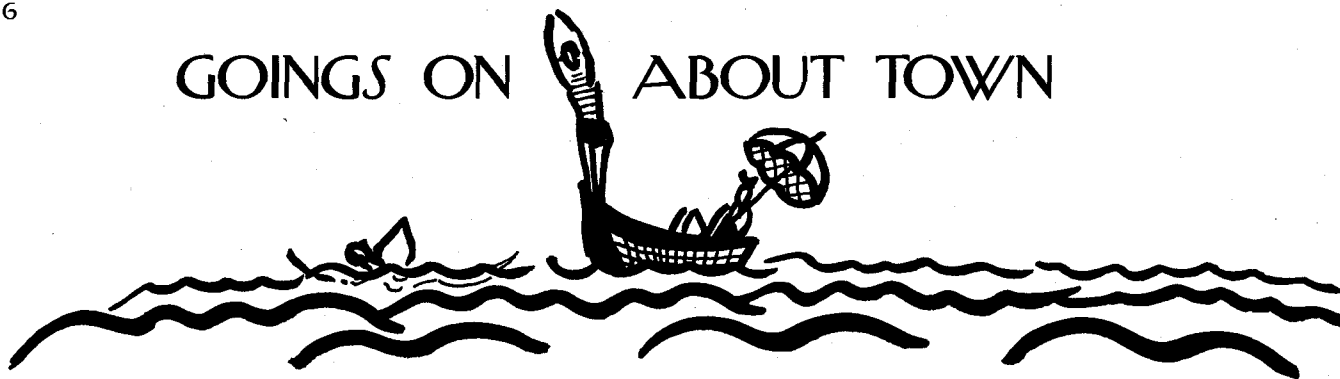
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OPENINGS AND PREVIEWS

(Please call the phone number listed with the theatre for timetables and ticket information.)

BLUEPRINT SERIES—The Ontological Theatre's annual festival for emerging directors, presenting works staged by Natalia de Campos, Owen Hughes, Kevin Oakes, and Shilarna Stokes, begins Aug. 11 at 8 and continues through Aug. 22. (St. Mark's In-the-Bouwerie, Second Ave. at 10th St. 533-4650.)

FINNEGAN'S FAREWELL—A new interactive comedy, set at a funeral procession in the first act and a farewell celebration in the second. Written by Kevin Alexander and featuring the RiverKids Dance Troupe and live music by the Dublineers. In previews. (St. Luke's Church, 308 W. 46th St. 279-4200.)

IT'S MY PARTY (AND I'LL DIE IF I WANT TO)—F. Murray Abraham leads a cast that includes Joyce Van Patten and Adam Grupper, in a dysfunctional-family comedy by Elizabeth Coleman. In previews. (ArcLight, 152 W. 71st St. 307-4100.)

KAT AND THE KINGS—A rock-and-roll musical by Taliep Petersen, set in Cape Town in 1957, about a doo-wop group trying to make it big. David Kramer is the director. In previews. (Cort, 138 W. 48th St. 239-6200.)

MACBETH—Shakespeare's power couple is reinterpreted as a pair of lesbian lovers, leaders of a gang who start a turf war. In previews. (Pulse Ensemble Theatre, 432 W. 42nd St. 695-1596.)

MEASURE FOR MEASURE—The second summer offering of Shakespeare in the Park (ing Lot), from Expanded Arts. Previews Aug. 11-12. Opens Aug. 13 at 8. (Municipal Parking Lot at Broome and Ludlow Sts. For information about free tickets, which are required, call 253-1813.)

MOTHER COURAGE AND HER CHILDREN (NANAY ISOG AND HER CHILDREN)—The Ma-Yi Theatre Ensemble's version of Brecht's play, in a new adaptation by Rodolfo Vera, stars Ching Valdes-Aran. In previews through Aug. 12. Opens Aug. 13 at 7. (Connelly Theatre, 220 E. 4th St. 581-8896.)

TARTUFFE—Mark Brokaw directs Dylan Baker, Dana Ivey, J. Smith-Cameron, Charles Kimbrough, Wendell Pierce, and Mary Testa in Molière's comedy. New York Shakespeare Festival's second outdoor production of the season. In previews. (Delacorte Theatre, Central Park near W. 81st St. For information about free tickets, which are required, call 539-8750.)

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VOICES IN THE DARK—In a new play by John Pielmeier ("Agnes of God"), a radio-talk-show host (Judith Ivey) is threatened by an enigmatic caller. Christopher Ashley is the director. In previews. (Longacre, 220 W. 48th St. 239-6200.)

OPENED RECENTLY

AFTER THE FAIR—The York Theatre Company presents a musical based on the Thomas Hardy story "On the Western Circuit." The book and lyrics are by Stephen Cole; the music is by Matthew Ward. (Theatre at St. Peter's Church, Lexington Ave. at 54th St. 239-6200. Closes Aug. 15.)

ANNIE GET YOUR GUN—A wonderful revival of Irving Berlin's solid-gold score. It's played for romance and sass, which the vulnerable and charming Bernadette Peters and the hunky, easygoing Tom Wopat deliver in spades. (Marquis, Broadway at 45th St. 307-4100.)

BENTEN KOZO—Traditional Kabuki meets Jackie Chan in a terrific evening concocted by director Jim Simpson and his Bat Theatre Company. The company's hip updating of the nineteenth-century script, along with Moe Schell's clever costumes, creates an ironic, funny, energetic production that (like many of the company's offerings in the past year) is well worth a trek to Tribeca. The show runs in repertory with Erin Courtney's dark comedy, "Mother's Couch," which is performed Fridays and Saturdays at 11 P.M. (Flea Theatre, 41 White St. 226-0051. Closes Aug. 28.)

THE BRAVE—The Scottish playwright Sharman Macdonald's 1988 thriller, set in North Africa, about two sisters who become fugitives when one of them kills an attacker in self-defense. From the Goldthread Theatre Company. (Atlantic, 336 W. 20th St. 947-8844. Closes Aug. 22.)

CHICAGO CITY LIMITS—The improv company presents a new revue, "Y2K, You're O.K." (Chicago City Limits Theatre, First Ave. at 61st St. 888-5233.)

CLOSER—Patrick Marber's slick dissection of the anatomy of desire follows four characters as they meet, mate, and move on in a kind of algebra of solitude which is factored out before our eyes. Marber can be very funny, and his writing is tight and well paced, but his staging is not. (Reviewed in our issue of 4/5/99.) (Music Box, 239 W. 45th St. 239-6200. Closes Aug. 22.)

THE COUNTESS—A drama by Gregory Murphy, about the tangled relationship between the nineteenth-century art critic John Ruskin, his wife, and Ruskin's protégé John Everett Millais. (Samuel Beckett, 410 W. 42nd St. 594-2826. Closes Aug. 29.)

A COUPLE OF BLAGUARDS—Michael Judd and Mickey Kelly perform Frank and Malachy McCourt's two-man autobiographical show. (Triad, 158 W. 72nd St. 799-4599.)

DEAR LIAR—Marian Seldes and Donal Donnelly portray Mrs. Patrick Campbell and George Bernard Shaw, in a drama that Jerome Kilty based on letters written during the forty-year clandestine love affair between the actress and the playwright. (Irish Repertory Theatre, 132 W. 22nd St. 727-2737.)

DEATH OF A SALESMAN—The casting of this production of Arthur Miller's masterpiece is



"Jar the Floor," by Cheryl L. West, at Second Stage.

generally uneven, but the show still packs a wallop. Brian Dennehy is almost too strong and too solid in himself for the panic-stricken salesman, yet he makes Willy Loman's crazy competitiveness and his misguided love for his son Biff hurt like a punch to the heart. Elizabeth Franz turns in the most fully realized performance, as Willy's beleaguered wife. She is as thin as Dennehy is large, yet she grounds the play and gives it a strong, almost stoic emotional center. (3/8/99) (Eugene O'Neill, 230 W. 49th St. 239-6200.)

EUGENE O'NEILL FESTIVAL—The second season in a five-year undertaking of O'Neill's oeuvre by Playwrights Theatre. Aug. 11-14 and Aug. 17 at 7:30: "Servitude." Continues through Aug. 21. This year's festival runs through Sept. 12. (Provincetown Playhouse, 133 Macdougall St. For information about tickets, call 998-5801.)

THE GATHERING—A Shabbat dinner set during the spring of Reagan's controversial visit to Bitburg (the German cemetery where, it is believed, Nazi soldiers are buried) turns into political crossfire between a Dachau survivor (Theodore Bikel) and his son (Robert Fass), who is a speechwriter for the President. It could have been a sombre, if not overly burdened, affair, but when Jesse Adam Eisenberg, who plays a precocious pre-teen about to be bar mitzvahed, skids onto the stage his comic, sputtering energy ricochets off his grandfather's august cynicism and sets the tone of the tightly scripted first act. The mood slows to a more ponderous pace in the second. (Playhouse 91, at 316 E. 91st St. 239-6200.)

A GOOD SWIFT KICK—A comic revue of twenty-odd songs by John Forster, on such topics as Thomas Jefferson's DNA and cultural imperialism. (Variety Arts, Third Ave. at 14th St. 239-6200.)

HURRAH AT LAST—The main character of Richard Greenberg's latest play is a whiny, money-obsessed novelist called Laurie (Reg Rogers), and he is clever (has Greenberg ever created a main character who is not?) without being compelling. It doesn't help matters that he has a bad cold and is stuck in a hospital bed during most of the second act; his fevered perceptions are rarely revelatory. Directed by David Warren. (6/14/99) (Gramercy Theatre, 127 E. 23rd St. 719-1300. Closes Aug. 15.)

ICE FACTORY FESTIVAL—SoHo Think Tank wraps up its summer shindig highlighting new works with "A Fish Story," by Erin Quinn Purcell and Greg Jackson, of the Adobe Theatre Company. Aug. 11-14 at 7. (Ohio Theatre, 66 Wooster St. 966-4844.)

IF LOVE WERE ALL—Twiggy and Harry Groener star as Gertrude Lawrence and Noël Coward, in this appealing revue-cum-remembrance by Sheridan Morley; the pair sing some twenty Coward songs and portray, with sweetness and without sentimentality, the remarkable lifelong friendship between the two, who met when Noël was twelve and Gertie fourteen. (Lucille Lortel, 121 Christopher St. 239-6200.)

I'M THE ONE THAT I WANT—The comedian Margaret Cho tells the story of her disastrous descent into Hollywood, as the first Asian-American to have her own sitcom. (Westbeth Theatre Center, 151 Bank St. 307-4100.)

IT AIN'T NOTHIN' BUT THE BLUES—A marvelous collection of songs performed by a dynamic cast. The music alone could have showcased the influence of the blues, but instead the audience is subjected to explanatory notes and bad-talk-show banter. Fortunately, the blues triumphantly survives even this. (Vivian Beaumont, Lincoln Center. 239-6200.)

JAR THE FLOOR—Irma P. Hall, Linda Powell, Regina Taylor, Lynne Thigpen, and Welker White portray five members (representing four generations) of a black family, who gather for the ninetieth birthday of the great-grandmother, in a drama by Cheryl L. West. Marion McClinton is the director. (Second Stage, 307 W. 43rd St. 246-4422.)

THE JOY LUCK CLUB—Susan Kim's adaptation of the Amy Tan novel, staged by the Pan Asian Rep. (Theatre Four, 424 W. 55th St. 239-6200.)

MAYBE BABY, IT'S YOU—Charlie Shanian and Shari Simpson portray eleven couples in a comedy about courtship, which they co-wrote. Directed by Jeremy Dobrish. (Currican, 154 W. 29th St. 841-0109. Closes Aug. 15.)

A MIDSUMMER NIGHT'S DREAM—The Shakespeare Project's rambunctious production, playing in parks around the city, makes for a delightful summer evening. In a neat conceptual twist, the fairies are puppets (created by Ralph Lee, of the Village Halloween Parade) manipulated by the actors; the technical strains of acting while puppeteering do show at times, and the cast is mixed, but it's hard to quibble in the face of so much fun. (For information about dates and locations, call 946-1869. Closes Aug. 15.)

NAKED WILL—Oscar Wilde travels through time to investigate the origins of Shakespeare's sonnets, in a new play by Blair Fell. (P.S. 122, 150 First Ave., at 9th St. 477-5288. Closes Aug. 28.)

PETER PAN—The former Olympic gymnast Cathy Rigby stars in a limited engagement of the 1954 musical. (Gershwin, 51st St. west of Broadway. 307-4100. Closes Aug. 29.)

SNAKEBIT—Two guys, a gal, and an AIDS test. With all the one-liners and dialogue cued by contemporary culture, this comedy-drama by the actor and first-time playwright David Marshall Grant, like a lot of new plays, seems like a sitcom rewritten for the stage (fewer jokes, more "issues"). (Century Theatre, 111 E. 15th St. 239-6200.)

SQUONK—The Pittsburgh-based troupe presents "Bigsmörgåsbördwunderwerk," a piece that incorporates jazz and classical music, comedy, dance, and puppetry. (P.S. 122, 150 First Ave., at 9th St. 477-5288. Closes Aug. 28.)

THINGS YOU SHOULDN'T SAY PAST MIDNIGHT—Peter Ackerman's screwball bedroom comedy consists mainly of a sublimely ridiculous conference call involving three pairs of lovers. The questions about sex and the proper balance between intellectual and physical at-

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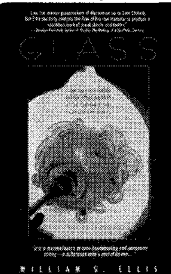
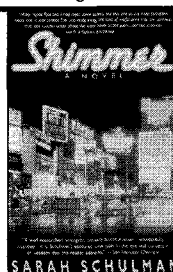
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COMING THIS SEPTEMBER: *This One and Magic Life* from award-winning author Anne Carroll George. A novel of a southern family and the secrets that bind them.
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traction have no answers, but Ackerman has some interesting suggestions, and, to his credit, comedy outweighs the theorizing. John Rando, the director, has a good eye, and the show comes off beautifully. (Promenade, Broadway at 76th St. 580-1313.)

THIS LIME TREE BOWER—A delightful tale (by Conor McPherson, who also wrote "The Weir") of three young Irishmen, each of whom goes off the rails in various ways but, with a little help from the other two, is able to put his life back together again. Neatly told as a series of overlapping monologues, the play is funny and sharply observed, and sweet without being sentimental. A perfect antithesis to this season's blockbusters. (Primary Stages, 354 W. 45th St. 333-4052. Closes Aug. 15.)

THWAK—Comic acrobatics (both physical and vocal) from the Australian performers David Collins and Shane Dundas, a.k.a. the Umbilical Brothers. (Minetta Lane Theatre, 18 Minetta Lane, east of Sixth Ave., between W. 3rd and Bleecker Sts. 307-4100.)

THE WEIR—Conor McPherson's play takes place in the musty chill of a backwater Irish pub, where a handful of habitués chew the cud of their solitude, spinning ghostly yarns that fill the air with glimmers of fear and resignation. It has a bittersweet charm, but for all the well-crafted talk and the well-observed bonhomie, it is finally a shaggy-bog story. (4/12/99) (Walter Kerr, 219 W. 48th St. 239-6200.)

LONG RUNS

BEAUTY AND THE BEAST: Palace, Broadway at 47th St. 307-4100. . . . **BLUE MAN GROUP/TUBES**: Astor Place Theatre, 434 Lafayette St. 254-4370. . . . **CABARET**: Studio 54, at 254 W. 54th St. 239-6200. . . . **CATS**: Winter Garden, Broadway at 50th St. 239-6200. . . . **CHICAGO**: Shubert, 225 W. 44th St. 239-6200. . . . **DE LA GUARDA**: Daryl Roth, 20 Union Sq. E., at

15th St. 239-6200. . . . **THE FANTASTICKS**: Sullivan Street Playhouse, 181 Sullivan St., at Bleecker St. 674-3838. . . . **FOOTLOOSE**: Richard Rodgers, 226 W. 46th St. 307-4100. . . . **FORBIDDEN BROADWAY**: Stardust, Broadway at 51st St. 239-6200. . . . **FOSSE**: Broadhurst, 235 W. 44th St. 239-6200. . . . **HEDWIG AND THE ANGRY INCH**: Jane Street Theatre, Hotel Riverview Ballroom, 113 Jane St. 239-6200. . . . **I LOVE YOU, YOU'RE PERFECT, NOW CHANGE**: Westside, 407 W. 43rd St. 239-6200. . . . **JEKYLL & HYDE**: Plymouth, 236 W. 45th St. 239-6200. . . . **LATE-NITE CATECHISM**: St. Luke's Church, 308 W. 46th St. 239-6200. . . . **THE LION KING**: New Amsterdam, 214 W. 42nd St. 307-4100. . . . **LES MISÉRABLES**: Imperial, 249 W. 45th St. 239-6200. . . . **MISS SAIGON**: Broadway Theatre, Broadway at 53rd St. 239-6200. . . . **OVER THE RIVER AND THROUGH THE WOODS**: John Houseman, 450 W. 42nd St. 239-6200. . . . **PERFECT CRIME**: Duffy, 1553 Broadway, at 46th St. 695-3401. . . . **THE PHANTOM OF THE OPERA**: Majestic, 245 W. 44th St. 239-6200. . . . **RAGTIME**: Ford Center for the Performing Arts, 213 W. 42nd St. 307-4100. . . . **RENT**: Nederlander, 208 W. 41st St. 921-8000. . . . **SECRETS EVERY SMART TRAVELER SHOULD KNOW**: Ibis, 327 W. 44th St. 239-6200. . . . **SIDE MAN**: Golden, 252 W. 45th St. 239-6200. . . . **SMOKEY JOE'S CAFÉ**: Virginia, 245 W. 52nd St. 239-6200. . . . **STOMP**: Orpheum, 126 Second Ave., at St. Marks Pl. 477-2477. . . . **SYMPHONIE FANTASTIQUE**: HERE, 145 Sixth Ave., near Spring St. 647-0202. (Closes Aug. 15.) . . . **TONY N' TINA'S WEDDING**: St. Luke's Church, 308 W. 46th St. 239-6200. . . . **WIT**: Union Square Theatre, 100 E. 17th St. 307-4100.

OUT OF TOWN

WILLIAMSTOWN THEATRE FESTIVAL—Main Stage: "As You Like It," starring Gwyneth Paltrow. Closes Aug. 15. . . . Nikos Stage: "The Waverly Gallery," a new play by Kenneth

Lonergan ("This Is Our Youth"). Aug. 11-25. (1000 Main St., Williamstown, Mass. 413-597-3399.)

HUDSON VALLEY SHAKESPEARE FESTIVAL—"Twelfth Night" (through Aug. 22) runs in repertory with "Titus Andronicus" (through Aug. 21). (Boscobel Restoration, Garrison, N.Y. For ticket information and directions, call 914-265-9575.)

DANCE

WHITE OAK DANCE PROJECT—A fortnight of dance by the company founded in 1988 by Mikhail Baryshnikov and Mark Morris includes work by Morris, Karole Armitage, Tamasauro Bando, Lucy Guerin, Amy O'Brien, and Neil Greenberg. For all its cast changes, the White Oak group has invariably taken the stage with an all-star lineup of dancers handpicked from a variety of troupes. The current cast includes Baryshnikov, of course, complemented this time by five powerful women: Raquel Aedo, Emily Coates, Emmanuèle Phuon, Ruthlyn Salamons, and Susan Shields. (New Victory, 209 W. 42nd St. 239-6200. Aug. 10-14 and Aug. 17 at 8 and Aug. 15 at 7:30. Through Aug. 22.)

ELIOT FELD'S BALLET TECH—Aug. 9-10 and Aug. 13 at 8: "Consort," "Medium: Rare," "Mending," and "The Jig Is Up." . . . Aug. 11-12 and Aug. 14-17: "Play Bach," "Kore," "Danzon Cubano," and "Paper Tiger." (Joyce Theatre, 175 Eighth Ave., at 19th St. 242-0800. Through Aug. 21.)

LINCOLN CENTER OUT-OF-DOORS—The free plein-air concert series includes many dance events. Aug. 12 at 8: Four works choreographed by Melissa Fenley, including solos (one for herself, another for Peter Boal), a duet (with the cellist Joan Jeanrenaud), and a group work created on (and performed by) the University of Utah Department of Mod-

Damn the tuxedos, full speed ahead.



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ern Dance. (Damrosch Park.)... ¶ Aug. 13 at 8: The Trisha Brown Company presents "Five-Part Weather Invention." (Damrosch Park.)... ¶ Aug. 17 at 6: Ancient Vibrations imports island traditions for "Jamaican Jammin'." (Robertson Fountain Plaza.)

"CORPUS EXQUISITUS"—Three stories (set in a kitchen, a cave, and a loony bin) are mixed together in a narrative version of the Surrealist game of Exquisite Corpse, created by Patricia Fox and Tal Yarden for Dance Theatre Workshop's street-level garage. (219 W. 19th St. 924-0077. Aug. 12-15 at 6. Through Sept. 5.)

CENTRAL PARK SUMMERSTAGE—Muna Tseng presents "98.6: A Convergence in 15 Minutes" and "Slut for Art," a eulogy to her brother, the photographer Tseng Kwong Chi, famous for taking pictures of himself standing in front of various national landmarks while dressed in a Mao suit. "Po' Muz," a collaborative work by the poet Cornelius Eady and the cellist Deirdre Murray, completes the program. (Rumsey Playfield, mid-Park at 72nd St. Aug. 17 at 7:30. No tickets necessary.)

CELEBRATE BROOKLYN!—The Connecticut-based troupe Momix, under the direction of Moses Pendleton, brings repertory works to the great outdoors of Brooklyn. (Prospect Park Bandshell, Prospect Park W. at 9th St. Aug. 7 at 7:30. No tickets necessary.)

PILAR RIOJA—The marquesa of Spanish dance offers a valuable lesson in the regional variations of the form. (Repertorio Español, Gramercy Arts Theatre, 138 E. 27th St. 889-2850. Aug. 14 at 8, Aug. 15 at 3, and Aug. 16-17 at 7. Through Sept. 26.)

OUT OF TOWN

JACOB'S PILLOW DANCE FESTIVAL—The singers, dancers, and percussionists of Los Muñequitos de Matanzas, the Cuban rumba troupe, in an evening-length concert. (Aug.

10-12 at 8, Aug. 13 at 8:30, Aug. 14 at 2 and 8:30, and Aug. 15 at 2.)... ¶ The Peruvian-Bosnian team of Teatro Hugo & Inés turn their body parts into puppets in their evening-length work "Short Stories." (Aug. 12-13 at 8:15 and Aug. 14-15 at 5.) (Becket, Mass. 413-243-0745.)

NIGHT LIFE

CONCERTS

LINCOLN CENTER OUT-OF-DOORS—A free festival of music at Lincoln Center. Aug. 11 at 6:30: Well-turned bop soil spills onto R. & B. terrain when the alto saxophonist LOU DONALDSON hits the stage, pledging allegiance to both virtuosity and entertainment. (North Plaza.)... ¶ Aug. 12 at 6:30: Pianist ANTHONY DAVIS plays a hybrid of jazz, classical, and new music which befits a musician who started out with cutting-edge jazzmen like Ed Blackwell and now likes to compose operas. Davis combines a pristine touch with a spiky attack, but he isn't averse to indulging in cerebral meditations. (North Plaza.) (For more information, call 875-5108.)

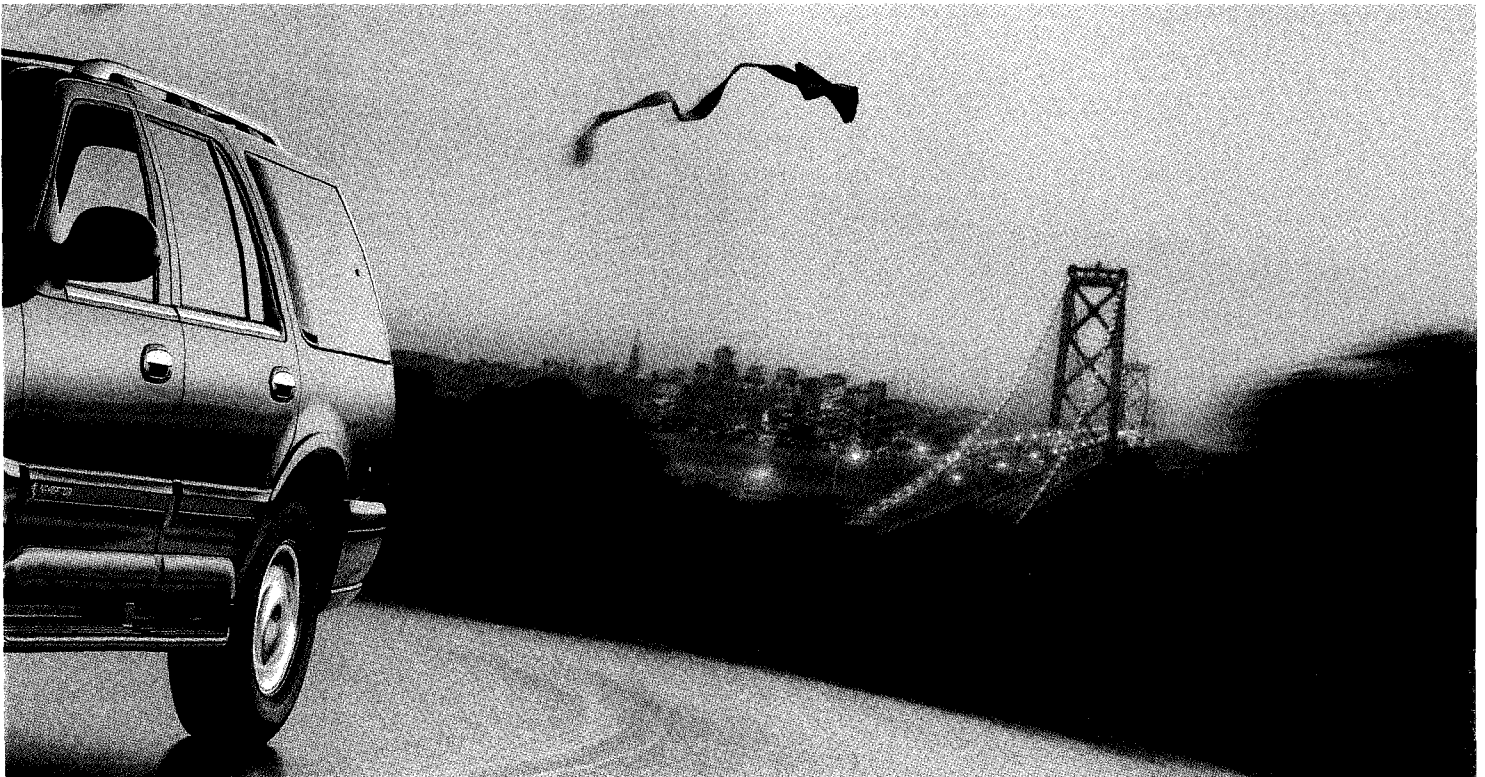
BRUCE SPRINGSTEEN—The Boss and the E Street Band finish off a fifteen-night stand on their home turf, across the river. (Continental Airlines Arena, the Meadowlands. 212-307-7171. Aug. 11-12 at 7:30.)

THE ROOTS—Rap groups generally aren't known for their musicianship, but this twelve-year-old Philadelphia (a.k.a. Illadelph) outfit uses real instruments to create an authentically funky, quintessentially musical (as opposed to digital) backdrop. With the Brooklyn rappers Gang Starr and the up-and-coming vocalist Macy Gray. (Hammerstein Ballroom, Manhattan Center, 311 W. 34th St. 564-4882. Aug. 11 at 8.)

CENTRAL PARK SUMMERSTAGE—Free music in New York City's back yard. Aug. 12 at 7:30: CARL HANCOCK RUX is a young poet from Harlem who has quickly made his way from the dark corners of the Nuyorican Poets Café to the bright lights of a major-label record deal. "Rux Revue" (which is due out in early September) is a captivating account of the artist's life—from "Blue Candy," a song about his discovery, at age four, of his grandmother's dead body, to "No Black Male Show," which deals with his experiences in the entertainment business. Backed by a band that includes guitarist RONNIE DRAYTON, D.J. SINGE, and the great singer-songwriter TOSHI REAGON, Rux alternates, in a deep, resonant voice, between singing and speaking, carefully keeping the focus on his insightful words. ... ¶ Aug. 14 at 3: AFRICA FÊTE '99, featuring the Senegalese vocalist Baaba Maal and the Zimbabwean singer Oliver Mtukudzi. Also on the bill is Kulanjan, a project in which the blues guitarist Taj Mahal explores the roots of his music with the Malian Toumani Diabate, a master of the African harp-lute called the *kora*. ... ¶ Aug. 15 at 3: The soulful blues singer ROBERT CRAY, backed by his band and the Memphis Horns. (Rumsey Playfield, mid-Park at 72nd St. 360-2777.)

"WARM UP 2"—An outdoor music series in the courtyard of P.S. 1 Contemporary Art Center. Aug. 14 at 4: The Dylan Group, specializing in atmospheric vibraphones, joins d.j.s Reid Speed and Lo-Ki. Mutamassik, a Brooklyn-based Egyptian-American female d.j. who's fond of mixing traditional Middle Eastern music into her sets, is also on the bill. (22-25 Jackson Ave., at 46th Ave., Long Island City. 718-784-2084.)

THE CRANBERRIES / COLLECTIVE SOUL—A tone-deaf double bill that joins the earnest Irish combo with the faceless middle-American arena act. (Jones Beach Theatre. 516-221-1000. Aug. 14 at 7:30.)



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Neil Greenberg's "Macguffin or How Meanings Get Lost (Revisited)," for Mikhail Baryshnikov and the White Oak Dance Project (see Dance).

STEFON HARRIS—It's been a while since the vibraphone had a bright new champion, but Harris has come to the rescue. A skittery approach to his instrument and a close association with jazz upstart Greg Osby give Harris a welcome edge. (Brooklyn Museum of Art, Eastern Parkway. 718-638-5000. Aug. 15 at 3.)

DURAN DURAN—Now a lean and mean trio, the aging Europouters return for an evening of New Wave classics and late-nineties irrelevance. (Jones Beach Theatre. Aug. 15 at 8.)

SOUL COUGHING—Powered by the mightiest live jungle-hip-hop rhythm section in all of pop music (drummer Yuval Gabay is a wonder to behold) and wrapped in samples and lyrics that one-up each other in wicked weirdness, last year this New York quartet released the thunderous "El Oso," the best of its three records. Don't miss this gig; it might be your last chance to see the Velvet Underground of the nineties. (Supper Club, 240 W. 47th St. 921-1940. Aug. 16 at 8.)

CLUBS

(Musicians and night-club proprietors live complicated lives; it's advisable to call ahead to confirm engagements.)

BOTTOM LINE, 15 W. 4th St., at Mercer St. (228-6300)—Aug. 13: **ED PALERMO** and his big band play the music of Frank Zappa. Aug. 14: **MARSHALL CRENSHAW**, the onetime great pretender of power pop, stops by with his band.

BOWERY BALLROOM, 6 Delancey St. (533-2111)—Aug. 11: **THE ROLLINS BAND**, led by Mr. Spoken Word himself, takes no prisoners. Aug. 13-14: Chinese rocker **CUI JIAN**. Aug. 17-18: **LOS LOBOS**. Though the Latin Playboys, Los Lobos's experimental alter ego, have become more irresistible than the original band, the Wolves present a formidable arsenal that marries fierce musicianship with remarkable depth. The group has come a long way since "La Bamba," and it's not going to look back.

FEZ, 380 Lafayette St. (533-7000)—The members of the San Francisco-based **TIN HAT TRIO** (Aug. 14) play the viola, accordion, toy piano, guitar, mandolin, and Dobro, among other instruments. The result is a kind of alternative chamber music, mixing classical influences, jazz progressions, and Old World rhythms. The **MINGUS BIG BAND** still packs them in every Thursday. Dining.

IRVING PLAZA, 17 Irving Pl., at 15th St. (777-6800)—Aug. 12: **LUSCIOUS JACKSON**, now a trio (following the recent departure of keyboardist Vivian Trimble), tries to recapture the minor glory of its 1996 album, "Fever In Fever Out," which produced the hit single "Naked Eye." / The Japanese-American duo **CIBO MATTO** (Miho Hatori and Yuka Honda) samples everything from Italian desserts to French pop to Brooklyn hip-hop and fashions it into a candy-coated mix that giddily swings between kitsch and hipster sophistry. Aug. 13: Soul-infused ska from the Washington, D.C., sextet **THE PIETASTERS**. Aug. 16: **C.P.R.**, a trio consisting of legendary rocker David Crosby, his son James Raymond on keyboards, and Jeff Pevar on guitar. Aug. 17-18: The Irish rockers **HOTHOUSE FLOWERS**, who took off the better part of this decade, are back on tour.

JOE'S PUB, 425 Lafayette St. (539-8770)—Aug. 12: Like fellow-Texans Steve Earle and Jimmie Dale Gilmore, the fine singer-songwriter **RICHARD BARONE** packs a lot of hard-earned wisdom into his disarming tales of life on the road. He teams up here with the much-in-demand downtown guitarist **GARY LUCAS** and drummer **ERIC MINGUS**.

KNITTING FACTORY, 74 Leonard St., between Broadway and Church St. (219-3055)—Aug. 11: **MARC RIBOT Y LOS CUBANOS POSTIZOS**. Appropriating the arrangements of Arsenio Rodriguez and other pre-Castro bandleaders, Ribot's prosthetic Cubans are a postmodern, post-Cold War pleasure.

S.O.B.'s, 204 Varick St., at W. Houston St. (243-4940)—Aug. 12: The Mambo Madness Tour, with **PUCHO** and **THE LATIN SOUL BROTHERS**, **PAPO VAZQUEZ**, and a stable of d.j.s. Henry (Pucho) Brown and the Latin Soul Brothers turned out eight records between 1966 and 1969, and he played Carnegie Hall in 1967, but he spent the next two decades entertaining folks in the Catskills. In the early nineties, Pucho became a cult figure in London, as the dance-music scene there picked up his old recordings. He's been touring overseas ever since, and now he's brought his funky brand of Latin soul back home. Vazquez is a hard-driving trombonist who has played with Slide Hampton, Ray Barretto, Chucho Valdes, and Tito Puente. Dining.

TONIC, 107 Norfolk St. (358-7503)—Aug. 11: The clarinet and mandolin virtuoso **ANDY STATMAN** and percussionist **BOB WIENER** offer a night of bluegrass music. Aug. 17: If Hank

Williams had been born in Israel, had come of age in the post-punk era, and had hung out with the art-school crowd, he might have turned out a bit like Eef Barzelay, the lanky front man of the quartet **CLEM SNIDE**. Barzelay's front-porch ballads and lilted, whimsical waltzes are haunted by images of Dairy Queens and bus trips into the unknown, and the band, with its earthy emphasis on cello and upright bass, gives them just the right amount of hopeful melancholy.

TRAMPS, 51 W. 21st St. (727-7788)—Aug. 12: One of the few country bands with a fervent rock-and-roll following, **THE MAVERICKS** make elegant prairie pop that owes more to the crisp harmonies of the Everly Brothers than to the glitz of contemporary Nashville. Aug. 13: Reggae with **THE LEGENDARY WAILERS BAND**.

WETLANDS, 161 Hudson St. (966-4225)—Aug. 13: The Windy City outfit **MIGHTY BLUE KINGS** specializes in hard-swinging jump blues and favors songs by Louis Jordan, Jimmie Lunceford, and their talented leader, Ross Bon.

JAZZ AND STANDARDS

BIRDLAND, 315 W. 44th St. (581-3080)—Aug. 13-14: Yet another major exception to F. Scott Fitzgerald's dictum about there being no second acts in American public life, **JIMMY SCOTT**, the jazz-pop singer with the ethereally androgynous voice, finds himself in the midst of autumnal fame, forty or so years down the road. Few vocalists dare to match Scott's ultra-slow tempos; fewer can cast his captivating spell. Starting Aug. 17: **TITO PUENTE** and his orchestra.

BLUE NOTE, 131 W. 3rd St., near Sixth Ave. (475-8592)—Through Aug. 15: The revival of all things seventies unfortunately includes jazz fusion, hence the return of guitarist **LARRY CORVELL'S ELEVENTH HOUSE**, a third-rate Mahavishnu Orchestra back then, a perplexing object of nostalgia today. / Fusion saxophonist **BILL EVANS** shares a name with Miles Davis's brilliant, lamented jazz pianist, but that's about the only similarity. Aug. 16: Pianist **BILL CHARLAP** is one of several gifted, thoughtful New York players who are infatuated with lyricism. He may not be the flavor du jour, but his elegance and discernment have a cleansing effect on the city. Dining.

JAZZ STANDARD, 116 E. 27th St. (576-2232)—Aug. 11-15: Hard bop still holds a lot of fascination for young jazz players, five of whom have united to form the cooperative unit **ONE FOR ALL**. Among the band's outstanding stylists are tenor saxophonist **ERIC ALEXANDER** and trombonist **STEVE DAVIS**. Dining.

JOE'S PUB, 425 Lafayette St. (539-8770)—Aug. 15: Thanks to his custom-built eight-string guitar and a few choice effects, **CHARLIE HUNTER** single-handedly creates sounds last heard in the mid-sixties on, say, a Big John Patton organ-trio disk.

KNICKERBOCKER, 33 University Pl., at 9th St. (228-8490)—Pianist **MIKE LEDONNE** (Aug. 11-14) knows when to kick off his shoes and when not to. On mid-tempo blues and leisurely ballads, he takes all the time he needs; on bop dashes, he's out of the gate without looking back. With bassist **ED HOWARD**.

SWEET BASIL, 88 Seventh Ave. S., at Bleecker St. (242-1785)—Through Aug. 15: The **STERLING PLACE ALL STARS** features saxophonist **VINCENT HERRING**, pianist **RONNIE MATHEWS**, and drummer **CARL ALLEN**—hard bop, anyone? Dining.

VILLAGE VANGUARD, 178 Seventh Ave. S., at 11th St. (255-4037)—Through Aug. 15: The **LEWIS NASH** septet, Nash can lift a band clear off the stage with drum work that is the very essence of clean, modern swing. He's what all young bop drummers should aspire to be. Nash risks being overshadowed, though, since he's featuring the virtuosic violinist **REGINA CARTER** as a guest soloist. The **VANGUARD JAZZ ORCHESTRA** holds sway on Mondays.

ART

MUSEUMS AND LIBRARIES

METROPOLITAN MUSEUM, Fifth Ave. at 82nd St. (879-5500)—Sharing the Roof Garden with Rodin's "Three Shades" this summer is a group of monumental bronzes by the great, gloomy Polish sculptor Magdalena Abakanowicz. Three of the five are new works, created especially for the installation here: a pair of colossal skulls, a flock of beautiful, weighty birds, and a troop of nearly life-size headless figures who stand at attention, as though waiting for some mournful command. Against the mild, crenellated cheeriness of the Central Park West skyline, they project an Eastern European fatalism, magnificently (albeit perhaps a little smugly) dour and stark. Through late fall. . . . ¶ "Klee Cities" gathers a sampling of the artist's architectural caprices, from his radiant early watercolors of Tunisia to the nearly abstract geometric edifices of his later years. One of the most irresistible of these, "Stricken City," is described in the wall text as a medieval town, but it bears a suspicious resemblance to Bruegel's zigurat-shaped Tower of Babel. In the sky above the tower's highest ramp, a fat black arrow hovers, pointing downward. Who else but Klee (and perhaps Saul Steinberg) could make divine disapproval so graphic, and so satisfying? Through Sept. 5. . . . ¶ "Gustave Moreau: Between Epic and Dream." Through Aug. 22. . . . ¶ "Prayerbook for a Queen: The Hours of Jeanne D'Evreux," approximately three dozen illustrated pages by one of the masters of medieval illumination, Jean Pucelle (active 1320-34), are on view. Through Aug. 29. . . . ¶ "Cézanne to van Gogh: The Collection of Dr. Gachet." More than fifty works (by Monet, Pissarro, Guillaumin, Sisley, Renoir, and, above all, Cézanne and van Gogh) owned by van Gogh's doctor have travelled across the Atlantic for the first time. Through Aug. 15. (Open Tuesdays through Sundays, 9:30 to 5:30, and Friday and Saturday evenings until 9.)

MUSEUM OF MODERN ART, 11 W. 53rd St. (708-9480)—"Different Roads: Automobiles for the Next Century." Nine vehicles designed for the next century, a sort of high-performance art, snag the city's best parking spots—in the Rockefeller Sculpture Garden. Through Sept. 21. . . . ¶ "The Un-Private House." Rather than just present his selection of twenty-six recent house designs as the lively grab bag that it is, curator Terence Riley tries to dress it up as a form of cultural trend-spotting. As far as ideas go, this show is pure bluff. A couple of the projects here—most notably Shigeru Ban's hilarious Curtain Wall house—seem to be intended for clients who have nothing to hide from their neighbors, but for the most part the desire for privacy seems to be on the rise. With their lap pools, ten-thousand-volume libraries, home offices, and high-tech multimedia amenities ("Residents can entertain friends who live thousands of miles away"), most of these lavish dwellings seem like scaled-down variants of Superman's Fortress of Solitude. But, if you set ideas aside, the show is a delight: it's thrilling to see so many genuinely adventurous, even kooky, home designs, and the abundance of scale models makes the exhi-

bition unusually accessible to non-architects. Through Oct. 5. . . . ¶ "Fame After Photography." Departing from the Modern's usually crisply didactic installation mode, guest curators Carole Kismaric and Marvin Heiferman opt here for an almost unintelligible, jam-packed exhibition of printed, photographic, and cinematic materials that illustrate the bliss and blight of our celebrity-driven culture. For the patient viewer, there are plenty of droll, pathetic, and even aesthetic delights, e.g., a series of publicity pictures of Hollywood's most enduring Medusa, Joan Crawford, and Timothy Greenfield-Sanders's strikingly empathetic portrait of a very pretty Monica Lewinsky. Some of the requisite "art" photographs are tediously predictable, given the show's theme (Nadar's portraits of George Sand and Charles

work by lesser-known artists; on the other hand, there is a lot of dreck, both by unknown figures and by famous ones having a bad art day. Through Sept. 12. (Open Sundays through Wednesdays, 9 to 6; Fridays and Saturdays, 9 to 8.)

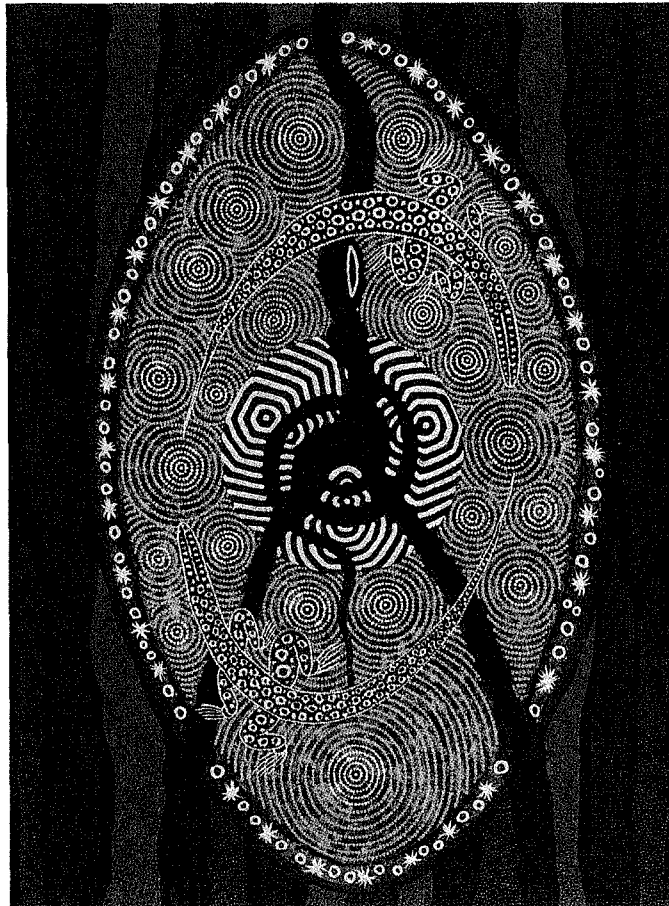
GUGGENHEIM MUSEUM SoHo, 575 Broadway, at Prince St. (423-3500)—The newly renovated downtown branch reopens with "Andy Warhol: The Last Supper," a series of works created for an exhibition in a Milan bank not far from Santa Maria delle Grazie, the home of Leonardo's original. (Open Wednesdays through Sundays, 11 to 6, and Saturday evenings until 8.)

WHITNEY MUSEUM OF AMERICAN ART, Madison Ave. at 75th St. (570-3676)—"The American Century: Art & Culture 1900-2000 (Part I: 1900-50)" is exactly what its unimaginative title implies—a grand, bland survey, full of familiar milestones but remarkably short on fresh connections or surprises. There's plenty to see, however: the six-hundred-odd works include architectural models, furniture, ceramics, magazine covers, and kitchen appliances, as well as canonical paintings and photographs. Ideally, the museum's educational mission should dovetail with its aesthetic one; here, the history lesson takes over, making for a dutiful, stolid, rainy-day resource. Through Aug. 22; Part II opens Sept. 26. (Open Tuesdays, Wednesdays, and Fridays through Sundays, 11 to 6; Thursdays, 1 to 8.)

AMERICAN MUSEUM OF NATURAL HISTORY, Central Park W. at 79th St. (769-5100)—At the center of the new Gottesman Hall of Planet Earth is an eight-foot hemispherical model of our mother ship, rigged with an internal projection system that displays her clouds, oceans, and continents, all in motion. It's the kind of high-tech toy you can imagine Bill Gates installing as a chandelier. Ranged around it are a hundred and sixty-eight chunks of the planet itself. Along with relatively familiar specimens of marble, coral, and sandstone, there are glistening buds of black pillow lava, an ice core, a chimney of pure sulfur, and a ventifact—a rock carved by windblown sand—from Antarctica (it looks as if Henry Moore might have left it there). All are dramatically lit and accompanied by a slightly bewildering but ultimately helpful surfeit of video monitors and computer displays. . . . ¶ "Epidemic! The World of Infectious Disease." Through Sept. 6. . . . ¶ "The Endurance: Shackleton's Legendary Antarctic Expedition."

Through Oct. 11. (Open daily, 10 to 5:45, and Friday and Saturday evenings until 8:45.)

BROOKLYN MUSEUM OF ART, Eastern Parkway (718-638-5000)—"Winslow Homer: Illustrating America" displays a hundred and twenty wood engravings, nearly half of Homer's output during the early years of his career, when he worked as a freelance illustrator for publications like *Ballou's Pictorial* and *Harper's Weekly*. Except for a group of pictures depicting camp life in the Union Army, most are genteel courting and sporting scenes: ice-skating parties, croquet games, frolicking swimmers, and bewiskered gents roughing it in the Adirondacks. It's a pleasure to watch Homer's stiff draftsmanship grow gradually more supple, but the blinkered gaiety of these pictures does occasionally become oppressive. No wonder that, at the end of his life, the artist devoted himself solely to penitential scenes of pounding surf. Through Oct. 10. . . . ¶ "Impressionists in Winter: Effets de Neige." Through Aug. 29. . . . ¶ "Mariko Mori: Empty Dream." A



"Pirla Warna Warna," by Aboriginal artist Malcolm Jagamarra, at the Australian Mission to the United Nations.

Baudelaire, for instance, or one of Cindy Sherman's "Untitled Film Stills"). But three of Andy Warhol's famous and seldom seen "Screen Tests" are exceptional. Did you know that Susan Sontag did one? Through Oct. 5. (Open Saturdays through Tuesdays, and Thursdays, 10:30 to 5:45; Fridays, 10:30 to 8:15.)

GUGGENHEIM MUSEUM, Fifth Ave. at 89th St. (423-3500)—"Surrealism: Two Private Eyes." A vast exhibition composed of work from the separate collections of publisher Daniel Filipacchi and the late Nesuhi Ertegun, who, as a partner with his brother Ahmet, owned Atlantic Records. The show is rich in terrific works, including such iconic Surrealist masterpieces as René Magritte's "The Rape" (1934), Salvador Dalí's "The Phenomenon of Ecstasy" (1933), and Giorgio de Chirico's "The Disquieting Muses" (1925), and it has two astonishing rooms—one devoted to Cornell boxes, the other to Surrealist bookbinding. There is a lot of marvellous or, at the very least, curious

survey of this young Japanese artist's five-year career, in which she, depending on your point of view, either embodies the best (so far) of cross-cultural, neo-Pop extravagance or panders to lowbrow taste with costly production values and glitzy special effects. Mori's earlier works underscore affiliations with Japanimation and with theatrical self-portraiture of past decades, in particular Cindy Sherman's "Untitled Film Stills." Mori's more recent 3-D video works employ extraordinary digital effects, as in "Nirvana" (1996-97): the artist as haloed bodhisattva (or something close to it) takes center stage, while her techno-enhanced handmaidens sit in the lotus position and zoom around on disks of flame. Through Aug. 15. (Open Tuesdays for the Impressionist show only, Wednesdays, and Fridays, 10 to 5; Thursdays, 10 to 8; Saturdays and Sundays, 11 to 6.)

DAHESH MUSEUM, 601 Fifth Ave., at 49th St. (759-0606)—"Revealing the Holy Land: The Photographic Exploration of Palestine." Almost immediately after the invention of photography, in 1839, early practitioners from Europe descended upon Jerusalem, in order to document the Biblical landscape. Twenty-five years later, in the eighteenth century, a British sergeant named James McDonald took the long-ignored survey photographs that form the core of this show. His beautifully composed views of Sinai, often centered on a single tree or central plain, make the Middle East look remarkably like O'Sullivan's or Watkins's boundless American West, and his city scenes and images of ruins present Jerusalem's monumentality with a classical grace. Through Aug. 28. (Open Tuesdays through Saturdays, 11 to 6.)

FRICK COLLECTION, 1 E. 70th St. (288-0700)—In the art-historical equivalent of a Sally Jessy Raphaël family reunion, two paintings by Édouard Manet which have been estranged for more than a century have been temporarily united. "The Bullfight," from the Frick, and "The Dead Toreador," from the National Gallery, once formed part of a single canvas, a melodramatic corrida scene that was jeered and caricatured when it appeared in the Salon of 1864. The disappointed Manet cut the original composition into two fragments and then emended each to make independent pictures. Far from seeming clarified by proximity, however, the two siblings remain oddly dissimilar. Through Aug. 22. (Open Tuesdays through Saturdays, 10 to 6; Sundays, 1 to 6.)

JEWISH MUSEUM, Fifth Ave. at 92nd St. (423-3200)—"Shari Rothfarb: Water Rites," two short films and an installation on women and the *mikvah* bath, offers affecting images of the purifying ritual that helps define observant Jewish women's relationships to family, fertility, and sexuality. The title film is projected on a pool of still water, a sort of mini-*mikvah*. The other, "Ocean Avenue," Rothfarb's M.F.A. thesis, follows a woman in her fifties through her Brooklyn neighborhood as she searches for a daughter. The films take themselves a bit seriously, but the subject is a rich one, and well explored here. . . . ♣ Across the hall, Sophie Calle's "The Eruv of Jerusalem" looks at the way that public space is consecrated as private according to the rabbinic prohibition that forbids carrying objects outside the home during the Sabbath but that nevertheless provides for a symbolic extension of the home (a wire, say, strung around a neighborhood), which is called an eruv. Calle has created a conceptual version of such a space with photographs of fence posts around the gallery; a table in the center of the room is covered with photographs of and anonymous interviews about places in Jerusalem which people have adopted as part of their private world (one woman led Calle to the brick she was touching when her husband told her that he loved someone else). Both shows through Oct. 17. (Open Sundays through Thursdays, 11 to 5:45, and Tuesday evenings until 8.)

THE NEW MUSEUM, 583 Broadway (219-1222)—"The Times of Our Lives," an exhibition of work that allegedly "explores and critiques the social constructions of age and aging." In fact, it's a chaotic grab bag of paintings, sculptures, photographs, and installations by familiar or unimpressive artists, accompanied by patronizing wall texts that interpret every piece as a virtuous assault upon stereotypes. If Bob Dole in his infamous Pfizer ad (which is included here) had adopted an aggrieved, defensive tone while insisting on full frontal nudity, he would have captured the spirit of this show perfectly. Through Oct. 17. (Open Wednesdays and Sundays, noon to 6; Thursdays through Saturdays, noon to 8.)

NEW-YORK HISTORICAL SOCIETY, 2 W. 77th St., at Central Park W. (873-3400)—"Dance for a City: Fifty Years of New York City Ballet" gathers costumes, design maquettes, film clips, photographs, stage props, pointe shoes, ticket stubs, playbills, and other dance ephemera from the company's first half century. Through Aug. 15. (Open Tuesdays through Sundays, 11 to 6.)

NEW YORK PUBLIC LIBRARY, Fifth Ave. at 42nd St. (869-8089)—"Such Friends," an exhibit that takes its title from a W. B. Yeats couplet ("Think where man's glory most begins and ends / And say my glory was I had such friends"), draws a rich bibliographical portrait of the Irish poet's impressively complicated social and literary life. On display are manuscripts and typescripts, often covered with Yeats's tireless corrections; inscribed editions of his poems; correspondence; and portraits by the poet's father and brother, both painters. Also included are volumes and letters by Maud Gonne, Lady Gregory, Ezra Pound, J. M. Synge, James Joyce, and others. Just skimming through this wealth of material can be exhilarating. Horsemanship, stop by! Through Sept. 11. (Open Mondays, and Thursdays through Saturdays, 10 to 6; Tuesdays and Wednesdays, 11 to 7:30.)

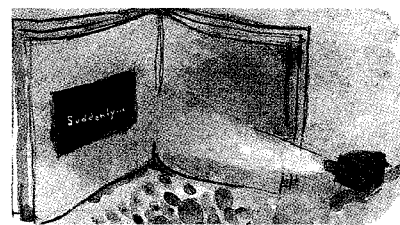
QUEENS MUSEUM OF ART, Flushing Meadows-Corona Park (718-592-9700)—"Global Conceptualism: Points of Origin," an ambitious if misguided survey of Conceptual art across the world. The show's basic thesis holds that Conceptualism developed in the sixties as several independent movements in different locales, in contrast to its generally accepted history, which emphasizes a core group of mainly American artists—Joseph Kosuth, Lawrence Weiner, Sol LeWitt, Hans Haacke, and others—and certain important European satellites. The premise is fine as a means of bringing to light hitherto neglected works, but the studious avoidance of the traditional history and figures becomes annoying. The whole of North America is confined to a rather small gallery, while two galleries are given over to Latin America (which do include important works by Lygia Clark and Oscar Bony). The result is a twofold disappointment: the cognoscenti will complain about omissions and bad selections, while the average museumgoer is treated to an account of Conceptualism which in its attempt to be inclusive is instead misleadingly selective. Through Aug. 29. (Open Wednesdays through Fridays, 10 to 5, and Saturdays and Sundays, noon to 5.)

OUT OF TOWN

BARD CENTER FOR CURATORIAL STUDIES, Bard College, Annandale-on-Hudson, N.Y. (914-758-7598)—"The Meaning of the Nonsense of the Meaning" is, despite its grad-schoolish title, an engaging show of paintings, sculptures, and conceptual high jinks by Takashi Murakami. The Japanese artist and provocateur once responded to the plight of a popular TV personality who lost the right to use his own name (Kase Taishuu) by initiating the Kase Taishuu Project: he hired four young men and promoted them all as Kase Taishuu. The stunt caught on, garnering reams of press coverage for the name-

BOOK CURRENTS

Silents Are Golden



SILENT movies weren't truly silent—they were accompanied by piano or by orchestra—but the men and women who acted in them became household names without ever uttering a word. The film buff James Card has devoted his career to preserving and popularizing silents, and his dotting history, **SEDUCTIVE CINEMA** (University of Minnesota), follows the genre from the Lumière brothers to Garbo, Dietrich, and Swanson. He unleashes a torrent of trivia on the making of such classics as "Manhandled," "Stage Struck," and "Flesh and the Devil," and provides a glamorous glut of photos.

Frederica Sagor Maas, now ninety-nine years old, was a story editor and screenwriter in the twenties, and she was less impressed with some of Card's heroes and heroines. In her memoir, **THE SHOCKING MISS PILGRIM** (University Press of Kentucky), she reveals the dirt beneath the stardust. To Maas, Clara Bow was an "oversexed child" whom she saw dance nude on a table, and Joan Crawford was a "gum-chewing dame, heavily made up, skirts up to her belly button, wildly frizzed hair. An obvious strumpet."

Some screen legends were more demure. **MARY PICKFORD REDISCOVERED** (Abrams), a gorgeous illustrated filmography with commentary by the film historian Kevin Brownlow, showcases in hundreds of stills the angel-faced actress who was known as "America's Sweetheart." The book displays not only the surprising breadth of Pickford's career (she played little girls, waifs, wives, washerwomen, and, once, Little Lord Fauntleroy) but also the solace-craving mind-set of early-twentieth-century America, which led one critic to proclaim the actress "a symbol of love to the lonely soul of the world."

Buster Keaton was a lonely soul himself, who nevertheless filled a celluloid universe with marvellous visions (such as the underwater duel with a swordfish in "The Navigator"). In **THE THEATER AND CINEMA OF BUSTER KEATON** (Princeton), Robert Knopf writes that Keaton was a surrealist whose films influenced modernists from Luis Buñuel to Antonin Artaud—who described Keaton's work as "a cinema which is studded with dreams, and which gives you the physical sensation of pure life."

KATE SHEPHERD

Books.

[AT BARNES & NOBLE]

Enter The House of Niccolò

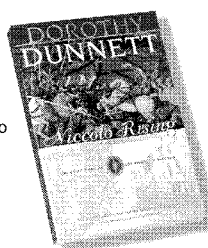
NICCOLÒ RISING

by Dorothy Dunnett

The first book in the House of Niccolò series begins three generations prior to the Lymond Chronicles and tells the tale of Francis Crawford's forebear, Nicholas de Fleury, born on the cusp of the European Renaissance and happily equipped to thrive in the tumult of a new age. (Vintage)

Pub. Price: \$15.00 **Discount 10%**

Our Price: \$13.50



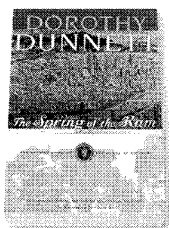
THE SPRING OF THE RAM

by Dorothy Dunnett

Chivalry falls and trade rises in fifteenth-century Europe. The climb of Nicholas de Fleury, merchant adventurer, continues as he arrives in Florence and, with the approval of Cosimo de' Medici, sets sail for the last outpost of Byzantium. (Vintage)

Pub. Price: \$15.00 **Discount 10%**

Our Price: \$13.50



RACE OF SCORPIONS

by Dorothy Dunnett

Twenty-one-year-old Nicholas returns from the ruins of Trebizond with a fortune. Sought after by a young King and a powerful woman, he finds himself enmeshed in wars and subtle intrigues in a new country, from which he emerges a master of political strategy. (Vintage)

Pub. Price: \$15.00 **Discount 10%**

Our Price: \$13.50



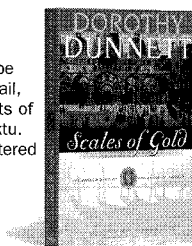
SCALES OF GOLD

by Dorothy Dunnett

Disasters threaten his banking empire in Europe and the need for gold has driven Nicholas to sail, vying with enemies, down the mysterious coasts of Western Africa to find the fabled city of Timbuktu. Home in triumph, he finds his new peace shattered by tragedies of a different kind. (Vintage)

Pub. Price: \$15.00 **Discount 10%**

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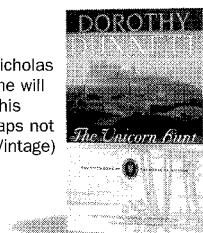
THE UNICORN HUNT

by Dorothy Dunnett

To settle scores and expand his fortune, Nicholas arrives in the kingdom of Scotland, where he will make his mark. From there, the pursuit of his estranged wife and her child—a child perhaps not his own—takes him to Cairo and Venice. (Vintage)

Pub. Price: \$15.00 **Discount 10%**

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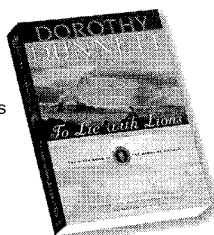
TO LIE WITH LIONS

by Dorothy Dunnett

Nicholas's family makes him vulnerable to every move by his enemies. Seeking a way from his dilemma and to control the love-hatred that drives Gellis, his wife, Nicholas pursues this end in Scotland, the Loire and even distant Iceland. (Vintage)

Pub. Price: \$15.00 **Discount 10%**

Our Price: \$13.50



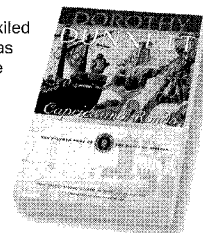
CAPRICE AND RONDO

by Dorothy Dunnett

Alienated from his friends and family and exiled in the frozen port of Danzig, Poland, Nicholas throws himself into wild escapades until the demands of princes and churchmen once again compel him to play a vital part in the tumultuous and Machiavellian schemes of his time. (Vintage)

Pub. Price: \$15.00 **Discount 10%**

Our Price: \$13.50

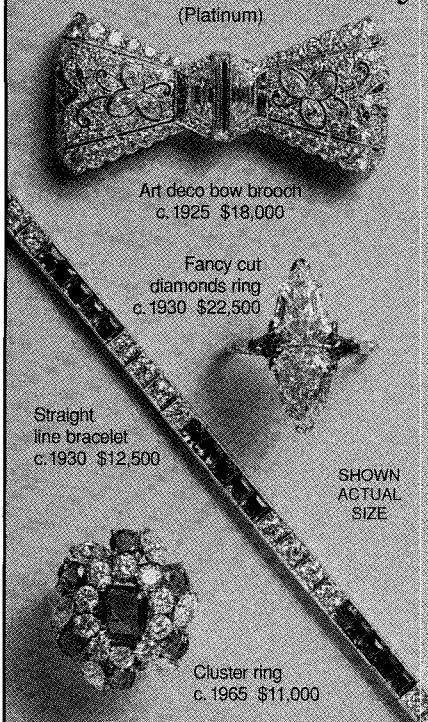


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**PATRICK A.
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A member of Penguin Putnam Inc.

sakes, until local yakuza suggested that the artist cease meddling with a popular brand name. The artist's latter-day homages to the spirit of Warhol extend to his meticulous paintings of pop images in the *manga* and *anime* styles—so utterly flat that one assumes they're silk screens. His signature figure, Mr. DOB, has even become a registered image with its own fan club, like Pokémon or Hello Kitty. But it's Murakami's sculptures that have gained the most attention recently: "Hiropon" (slang for "heroin" in Japanese) is a female figure with a Baroque tangle of red hair whose preternaturally large breasts squirt jets of milk. Her companion ("My Lonesome Cowboy") is an ithyphallic nude doing rope tricks with a spiralling lasso of semen. Through Sept. 12. (Open Wednesdays through Sundays, 1 to 5.)

KATONAH MUSEUM OF ART, Route 22 at Jay St., Katonah, N.Y. (914-232-9555)—"WILD-flowers," an exhibition of contemporary floral imagery, gathers paintings, sculptures, photographs, and videos by forty artists, including Fred Tomaselli, Joan Nelson, Thomas Woodruff, Sally Apfelbaum, and Richard Rothman. Through Oct. 3. (Open daily, except Mondays, noon to 5.)

PARRISH ART MUSEUM, 25 Job's Lane, Southampton, N.Y. (516-283-2118)—"Keith Sonnier: Tri-Parrish." A site-specific work by the neon-and-light sculptor. Sonnier's installation is best viewed at cocktail hour and on into the dark, when his luminescent doodles highlight the three arches at the museum's entrance. Through Sept. 19. (Open Mondays through Saturdays, 11 to 5, and Sundays, 1 to 5.)

GALLERIES—UPTOWN

(Summer-hours warning: Many galleries are open Mondays through Fridays, from around 10 or 11 to between 5 and 6. Others follow the normal Tuesday-to-Saturday schedule. It's best to call ahead.)

AUSTRALIAN ABORIGINAL ART—A two-venue exhibition of works from Australia's central desert region. The Aboriginal artists have exchanged traditional materials (sand, blood, feathers) for acrylic and canvas, but the urgency of their "dreamings"—which serve as ancestral records, tribal cosmogonies, maps of seasonal water sources, almanacs of food taboos, etc.—remains undiminished. Although the preferred mark is the dot, in a sort of hypnotic pointillist profusion, the form has been likened to Abstract Expressionism. The comparison is apt: the messages in each genre are indecipherable yet palpably, radiantly present. Through Aug. 25. (United Nations public lobby. 963-4475. Open daily, 9 to 5.... Australian Mission to the United Nations, 150 E. 42nd St. 351-6551. Open by appointment.)

"THE CARRIAGE ERA IN NEW YORK"—Eight sleek and beautifully designed vehicles from a century ago, including a conveyance for summer, an elegant wicker Three Spring Basket Beach Phaeton, displayed with accessories: a serious picnic basket, for instance, with the lid to a ceramic butter dish held down by a leather strap and buckle, and horse clothing, in linen as well as the more traditional wool. See also examples of the original accelerator—a vitrineful of whips and crops for all seasons and needs. Through Sept. 10. (PaineWebber Building, Sixth Ave. at 52nd St. 713-2885.)

"PATTERNS"—Curator Valerie McKenzie originally intended this group show as a tribute to Pattern and Decoration, the late-seventies trendlet. Happily, it became something more inclusive and contemporary. To be sure, there are plenty of peppy, colorful P.&D.-style works, such as Ann Agee's "Blue Maxi," a painting of a wallpaper sample with floral insets based on product packaging, and Julia Jacquette's grid of wrapped candies. But the strongest images tend to be either sombre or manic. The standout in the former category is Chris Gallagher's "Rill," a field of beautifully murky, wavering stripes.

For sheer visual hyperactivity, meanwhile, nothing beats Nina Bovasso's small untitled paintings on paper, which suggest an ebulliently psychotic version of Lotta Dot. Through Aug. 27. (Graham, 1014 Madison Ave., at 78th St. 535-5767.)

GALLERIES—CHELSEA

RIRKIRIT TIRAVANJIA—"Untitled, 1999 (tomorrow can shut up and go away)." Tiravanija continues to rifle through postwar avant-garde history, offering in each new show another amusing, charming, annoying, and pointed tweak of the art world, all within the context of art as fun. In 1997, he created a super-cheap, half-scale version of Philip Johnson's Glass House within the precincts of MOMA's sculpture garden (another Johnson design). The modernesque shack was meant to function as a playroom for kids. In this show, Tiravanija has recreated his entire apartment within the gallery, with a working kitchen and bathroom, bed, posters, knickknacks, etc. Purists might complain that Lucas Samaras did much the same thing in the early sixties. The difference: Samaras lived inside his bedroom at the gallery; Tiravanija simply hired one of his students from Columbia to do the living for him. Smart. Through Aug. 31. (Gavin Brown's Enterprise, 436 W. 15th St. 627-5258.)

GROUP SHOW—Robert Gober, renowned for his creepy and melancholic sculptures of drains, sinks, and urinals, among other symbolically charged talismans of the home and of everyday life, has organized a group exhibition that speaks strongly to his own preoccupations. The show is very much an installation, with unusually dim lighting and the grating noise of a saw (it's the audio track from "Spiked Buck," Robert Beck's video of someone insistently sawing the antlers from a decapitated stag). Through Cady Noland's cheaply fabricated, abstract stocks (the instrument of corporal punishment, not the corporate share), one catches glimpses of Anni Albers's exquisite gray-and-white Bauhaus textile grid. On facing walls, Gober has installed Joan Semel's large-scale paintings of nude couples; in certain paintings, the lovers display a pronounced pallor, as if they had been laid out on mortuary slabs rather than on beds. In the back gallery, Nancy Shaver's series of black-and-white photographs (1975-77) of found pieces of children's clothing has a hapless, forlorn air. Like Christian Boltanski's treatment of similar childhood themes, the pictures savor of forensic pathology. Gober's show is without a doubt the most ambitious group exhibition of the summer: Welcome to the House of Dispassionate Horrors. Through Sept. 10. (Marks, 522 W. 22nd St. 243-0200.)

GALLERIES—DOWNTOWN

JOHN ARMLEDER and SYLVIE FLEURY—These Swiss artists have assembled two sprawling exhibitions that share a provisional, mockup feel. Armleder's "Mondo Tiki," a big steel-and-wood scaffolding furnished with television sets playing B movies, is a classic instance of the generic nineties installation piece: shapeless and inert, it dares you to ignore it. Smaller works, including a room occupied by six revolving disco balls, are only marginally more engaging. Fleury's half of the show has a clearer point of view; it includes exercise videos, a bisected Camaro painted a glittering mauve, and a gaggle of rocket ships covered in fake fur. But most of these quasi-feminist conceits feel one-note-ish, not to mention dated. "BE AMAZING," one Fleury piece admonishes, to which viewers might be tempted to respond, "You first." Both shows through Aug. 28. (Ace, 275 Hudson St. 255-5599.)

"SIGNS OF THE TIMES"—A seductively motley collection of hand-painted road signs, advertisements, and yard art, some of it dating back to the nineteenth century. With their crudely lettered exhortations to "Drink How-

dey" or "Put No Paint on Roses," most of these humble icons conjure a cheery, quizzical nostalgia. A weathered plank marked with a circled X and the legend "Cross-roads," however, is delightfully ominous, like a relic conjured out of a Robert Johnson song. Worth a detour. Through Sept. 3. (American Primitive, 594 Broadway. 966-1530.)

PHOTOGRAPHY

RAY K. METZKER—Metzker studied at the Chicago Bauhaus in the mid-fifties with two masters of urban perception and abstraction, Harry Callahan and Aaron Siskind. He was soon shooting in Chicago's Loop and in the broad streets and squares of Philadelphia, concentrating on quiet but tense moments—slanting light illuminating three kids in the shadows of a concrete housing project, or a lone sailor trundling his duffel out of the darkness. He developed an intimate urban poetry that, for all its attention to pattern, had much in common with the deep-shadow Harlem paeans of Roy DeCarava and the grainy, damaged America of Robert Frank. This survey, mostly of Metzker's early city pictures, includes complex images that are bracing in their contrasts of dark and light and, most palpably, of loneliness and hope. Through Aug. 13. (Laurence Miller, 20 W. 57th St. 397-3930.)

"ANIMALS ARE FUNNY PEOPLE"—Works by Garry Winogrand, Elliott Erwitt, William Wegman, and others. Through Sept. 18. (De Lellis, 47 E. 68th St. 327-1482.)

"APOLLO 11: ONE GIANT LEAP"—Celebrating the thirtieth anniversary of the mission, with images from liftoff to footfall to splashdown. Through Aug. 20. (Schickler, 560 Broadway. 431-6363.)

"THE FULL MONTY"—Male nudes through the ages, by such photographers as Wilhelm von Gloeden, Man Ray, George Platt Lynes, Diane Arbus, and Peter Hujar. Through Aug. 13. (Houk, 745 Fifth Ave., at 57th St. 750-7070.)

"STARS & STRIPES"—Images of Old Glory in photographs, folk art, and outsider art. Among the artists on view are Mathew Brady, William Christenberry, Philip Jones Griffiths, Ben Edwards, William Hawkins, Bastienne Schmidt, and Michael Prince. Through Aug. 14. (Riccio/Maresca, 529 W. 20th St. 627-4819.)

"SUMMER READING"—Photographs and photographs of books, including works by Andrew Bush, Tim Maul, Abelardo Morrell, Fawn Potash, Allison Rossiter, and Masao Yamamoto. Through Aug. 27. (Richardson, 560 Broadway. 343-1255.)

"SUMMER SALON VI"—An always breezy group show, this time featuring works by Peter Garfield, Orit Raffi, and Leonard Nimoy. Through Aug. 20. (Benrubi, 52 E. 76th St. 517-3766.)

"THIN AIR"—Minimalist works by James Wellington, Randy West, Bing Wright, and others. Through Aug. 20. (Saul, 560 Broadway. 431-0747.)

"THIRTEEN"—Photographs by artists from the latest issue of *Blind Spot*, among them Graciela Iturbide, Barbara Ess, Vik Muniz, and Rosalind Solomon. Through Aug. 20. (Mann, 210 Eleventh Ave., at 25th St. 989-7600.)

INTERNATIONAL CENTER OF PHOTOGRAPHY—"Sea Change: The Seascape in Contemporary Photography." Through Sept. 26. . . . "Myths, Dreams, and Realities in Contemporary Argentine Photography." Through Sept. 26. (1130 Fifth Ave., at 94th St. 860-1777. Open Tuesdays through Thursdays, 10 to 5; Fridays, 10 to 8; Saturdays and Sundays, 10 to 6.)

SHORT LIST—**JUDITH JOY ROSS**, Pace Wildenstein MacGill, 32 E. 57th St. 759-7999. Through Aug. 27. . . . **EZRA STOLLER** and **HENRI CARTIER-BRESSON**, Danziger, 851 Madison Ave., at 70th St. 734-5300. Through Aug. 13 and Aug. 31, respectively. . . . **FRANCESCA WOODMAN**, Marian Goodman, 24 W. 57th St. 977-7160. Through Aug. 31.

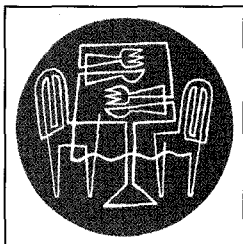
(See the museum listings for photography exhibitions at the Museum of Modern Art, the American Museum of Natural History, the Brooklyn Museum of Art, and the Dahe Museum.)

CLASSICAL MUSIC

OPERA

NEW YORK GRAND OPERA—The company concludes its fourth of seven seasons devoted to performing Verdi's complete operas by offering a staged production of "Aroldo." Soprano Katherine Harris, tenor Enrico di

TABLES FOR TWO



TABLA, 11 Madison Ave., at 25th St. (889-0667)—The tabla—a pair of Indian hand drums played as a single instrument—is notoriously difficult to master, requiring both discipline and the ability to improvise. Floyd Cardoz, the executive chef at this eight-month-old restaurant, understands the notion. While remaining true to the tenets of classical technique (he worked for years at Lespinasse), he cooks from instinct and memory (his mother and grandmother were excellent cooks in India) to create dishes that are so finely balanced and layered with unexpected flavors that diners find themselves at a loss for words. ("It's just so . . . good," a woman stammered one evening, after her first bite of Nova Scotia lobster in a coriander-and-coconut curry.)

A curved staircase of gleaming padauk wood leads to a serene room that seems to float among the treetops of Madison Square Park. The colors and textures—burnished metal, walls of an iridescent green found in Mughal paintings, gem-studded mosaics—recall the sensuality of India without being overwhelming; it's an atmosphere ideally suited for contemplating Cardoz's fricassee of wild mushrooms with chickpea spaetzle, which combines black cumin seeds and roasted garlic in a way that evokes the earthiness of the forest floor.

Some dishes set off a guessing game (is it turmeric that makes the wild striped bass so wild, or a chili of some sort?); others, like the eggplant-stuffed Vidalia onion festooned with fried taro slivers, are so gracefully conceived that they defy a desire to deconstruct them.

The restaurant's restrained exuberance becomes particularly evident with the arrival of dessert. A creamy coffee *kulfi* (a frozen confection) shaped like a dervish hat is set down in a pool of *kokum* (sour plum) sauce; in a delicate chai custard with ginger cream, humble green cardamom brings out chocolate's darker side—this is coffee at its most mystical, chocolate at its moodiest. The essence of Cardoz's alchemy? Eastern spices brilliantly used as catalysts to reveal the pristine flavors of Western ingredients. "I just play," Cardoz says, sounding like a tabla master himself. "I just cook from my heart." (Open weekdays for lunch and dinner, Saturdays and Sundays for dinner only. Prix-fixe dinner, \$52.)

Giuseppe, and baritone Richard Hobson head the cast, and Vincent La Selva conducts. (Central Park SummerStage, Rumsey Playfield, mid-Park at 72nd St. Aug. 11 at 7:30. No tickets necessary. For rain-date information, call 245-8837.)

ORCHESTRAS AND CHORUSES

MOSTLY MOZART—Aug. 11 at 8: Hans Graf leads the Mostly Mozart Festival Orchestra in a program that includes Mozart's A-Major Piano Concerto (K. 488, featuring Garrick Ohlsson) and Symphony No. 28, in addition to Mendelssohn's E-Minor Violin Concerto (with Vadim Repin). (Avery Fisher Hall.) . . . Aug. 12 at 8: The Freiburg Baroque Orchestra, conducted by Gottfried von der Goltz, offers an all-Mozart program that comprises the Overture to "Mitridate," the Sinfonia Concertante for Winds, operatic excerpts (with bass-baritone Thomas Quasthoff), and the Symphony No. 40. (Avery Fisher Hall.) . . . Aug. 13-14 at 8: The term "musician's musician" can imply a degree of interpretative braininess that titillates professional listeners but leaves everybody else unmoved. It doesn't have to be that way: the name of cellist Boris Pergamenchikov, for example, is uttered with reverence by plugged-in musicians everywhere, but that doesn't keep audiences from responding enthusiastically to his warmhearted, even passionate presence as a performer. Opportunities to hear him in this country have been rare; still, it comes as a surprise to think that so distinguished a figure should only now be making his New York orchestral debut. In this concert, he'll play Haydn's C-Major Cello Concerto, with George Cleve conducting the Mostly Mozart Festival Orchestra. Schubert's D-Major Overture "In the Italian Style," Beethoven's Piano Concerto No. 4 (with Horacio Gutiérrez), and Mozart's Symphony No. 38 (the "Prague") complete the program. . . . **NOTE:** Both evenings at 7, Mr. Pergamenchikov offers pre-concert recitals comprising Penderecki's Divertimento for Solo Cello and Bach's Unaccompanied Cello Suite No. 3. (Avery Fisher Hall.) . . . Aug. 14-15 at 3: The Keller String Quartet plays two separate Haydn programs. (Walter Reade Theatre.) . . . Aug. 15 at 5: Itzhak Perlman is the violin soloist in "Summer" from Vivaldi's "The Four Seasons" and leads a student orchestra in works by several composers. (Avery Fisher Hall.) . . . Aug. 16 at 8: The Salzburg Camerata Academica plays Haydn's C-Major Violin Concerto and Mozart's C-Major Rondo (both featuring Joshua Bell), in addition to Mozart's Symphonies No. 1 and No. 33. (Avery Fisher Hall.) . . . Aug. 17 at 8: Gerard Schwarz conducts the Mostly Mozart Festival Orchestra in Mozart's Symphony No. 20, Hummel's Trumpet Concerto (with Håkan Hardenberger), and Stravinsky's "Pulcinella" ballet score. (For information about Mostly Mozart tickets, call 721-6500.)

NEW YORK POPS—Skitch Henderson conducts a program of light music, with jazz singer Teri Thornton. (Prospect Park Bandshell, Prospect Park W. at 9th St., Brooklyn. Aug. 14 at 7:30. No tickets necessary.)

RECITALS

"THE AMERICAN CENTURY"—A series of hour-long recitals, connected with the Whitney Museum of American Art's exhibition about art and culture in twentieth-century America, concludes with a performance of pieces for string quartet by Harris, Barber, and Ruth Crawford Seeger. (Madison Ave. at 75th St. Aug. 12 at 6:30. No tickets required beyond museum admission; for more information, call 877-944-8639.)

AMY WRIGHT AND HYEJUNG BAK CHOI—The violinist and the pianist perform sonatas by Henry Eccles and Prokofiev (a transcription of his Sonata for Unaccompanied Cello), Dvořák's F-Minor Romance, and Ravel's "Tzigane." (St. Peter's Episcopal Church, 346 W. 20th St. Aug. 12 at 7:30. Tickets at the door.)

BARGEMUSIC—Aug. 12 at 7:30 and Aug. 15 at 4: Violinists Nai-Yuan Hu and Carmit Zori, violist Robert Rinehart, and cellists Ronald Thomas and Bion Tsang join in various configurations to perform Beethoven's C-Minor String Trio, Arensky's A-Minor String Quartet (for the unorthodox combination of

violin, viola, and two cellos), and Schubert's C-Major String Quintet. . . . ♪ Aug. 13 at 7:30: Violinist and violist Toby Appel is assisted by pianist Jonathan Feldman in sonatas and other works by Mozart, Shostakovich, Brahms, and others. (Fulton Ferry Landing, Brooklyn. 718-624-4061.)

SUMMERSGARDEN—Violinist Vesselin Gelleff, cellist Grace Lin, and pianist Steven Back perform works written in the nineteen-eighties and nineties by six women: Karólina Eiriksdóttir, Diana Burrell, Judith Shatin,



Cellist Boris Pergamenchikov, featured at Mostly Mozart.

Shulamit Ran, Jin Hi Kim, and Julia Wolfe. (Sculpture Garden, Museum of Modern Art, 14 W. 54th St. Aug. 13-14 at 8:30. No tickets necessary.)

"SUNDAYS ON THE ISLAND"—Cellist Iris Regev and pianist Nelson Padgett perform music by Bach. (Le Refuge Inn, 620 City Island Ave., City Island, the Bronx. 718-885-2478. Aug. 15 at noon.)

OUT OF TOWN

(A selective listing of festival events within a reasonable drive from New York City. Call the presenters for complete schedules.)

BRIDGEHAMPTON CHAMBER MUSIC FESTIVAL—Aug. 11 at 8: Shostakovich's Piano Quintet, Tchaikovsky's Piano Trio, and chamber works by Ervin Schulhoff and William Grant Still. . . . ♪ Aug. 14 at 8 and Aug. 15 at 6:30: Smetana's G-Minor Piano Trio, Dvořák's A-Major Piano Quintet (Op. 81), and pieces by Suk and Bartók. (Bridgehampton Presbyterian Church, 2429 Montauk Highway, Bridgehampton, N.Y. 516-537-6368.)

SARATOGA PERFORMING ARTS CENTER—Charles Dutoit conducts the Philadelphia Orchestra at its summer home. Aug. 11 at 8:15: Brahms's Piano Concerto No. 1 (featuring Peter Serkin) and Dvořák's Symphony No. 9 ("From the New World"). . . . ♪ Aug. 12 at 8:15: Symphonic excerpts from Berlioz's "La Damnation de Faust," Saint-Saëns's Piano Concerto No. 2 (featuring Jean-Yves Thibaudet), Debussy's "Prélude à l'Après-midi d'un Faune," and Mussorgsky's "Pictures at an Exhibition" (in Ravel's familiar orches-

tration). . . . ♪ Aug. 13 at 7: Viennese favorites, by Franz Lehár and Johann Strauss II, with soprano Harolyn Blackwell. . . . ♪ Aug. 14 at 8:15: Piazzolla's "Adiós, Nonino" and Bandoneon Concerto (with Marcelo Nisnman as soloist), Ravel's "Boléro," and orchestral excerpts from operas by Rossini, Verdi, and Ponchielli. (Saratoga Springs, N.Y. 518-587-3330.) . . . **NOTE:** The Saratoga Chamber Music Festival, which is also held at the Saratoga Performing Arts Center, concludes with a concert of tangos by Piazzolla, on Aug. 15 at 2:15. (For information about tickets, call 518-587-3330.)

TANGLEWOOD—Aug. 11 at 8:30: The Freiburg Baroque Orchestra, conducted by Gottfried von der Goltz, offers an all-Mozart program that consists of the Overture to "Mitridate," the Sinfonia Concertante for Winds, operatic excerpts (with bass-baritone Thomas Quasthoff), and the Symphony No. 40. . . . ♪ Aug. 13 at 8:30: Hans Graf leads the Boston Symphony in an all-Mozart program that comprises the Symphonies No. 19 and No. 33, the Piano Concerto in F Major (K. 459, with Alicia de Larrocha), and the Six German Dances (K. 571). . . . ♪ Aug. 14 at 8:30: The Boston Symphony, conducted by Ilan Volkov, performs Carter's "A Celebration of Some 100x150 Notes," Chopin's Piano Concerto No. 1 (featuring Garrick Ohlsson), and Schumann's Symphony No. 4 (in its original, 1841 version). . . . ♪ Aug. 15 at 2:30: Mr. Graf conducts the Boston Symphony in Tchaikovsky's symphonic fantasy "The Tempest," Rachmaninoff's "Rhapsody on a Theme by Paganini" (with Jean-Yves Thibaudet as the piano soloist), and Tchaikovsky's Symphony No. 2 (the "Little Russian"). (Lenox, Mass. 888-266-1200.)

CARAMOOR—Young musicians on the rise perform two chamber-music recitals, one comprising works by Haydn, Ives, and Dvořák (on Aug. 12 at 4:30), the other consisting of quintets by Boccherini and Brahms, as well as Mendelssohn's Octet (on Aug. 13 at 8). . . . ♪ Aug. 14 at 8:30: The festival concludes as Peter Oundjian conducts an orchestra in the Allegro for Four String Quartets by the nineteenth-century Dutch violinist and composer Jean Bernard van Bree, in addition to Bernstein's Serenade (with Robert McDuffie as the violin soloist), Barber's Adagio, and Tchaikovsky's Serenade for Strings. (Katonah, N.Y. 914-232-1252.)

GLIMMERGLASS OPERA—Aug. 12 at 8 and Aug. 15 at 2: "Rigoletto." . . . ♪ Aug. 13 at 8 and Aug. 17 at 2: "The Abduction from the Seraglio," in English. . . . ♪ Aug. 14 at 1:30 and Aug. 16 at 2: "Central Park," a triptych of one-act operas: Deborah Drattell's "The Festival of Regrets," with a libretto by Wendy Wasserstein; Michael Torke's "Strawberry Fields," with a libretto by A. R. Gurney; and Robert Beaser's "The Food of Love," with a libretto by Terrence McNally. . . . ♪ Aug. 14 at 8: Monteverdi's "Il Ritorno d'Ulisse in Patria." (Cooperstown, N.Y. 607-547-2255.)

BARD MUSIC FESTIVAL—This annual two-weekend gathering of performers and lecturers turns its sights on the life and works of Arnold Schoenberg, who influenced the course of

twentieth-century music as much as any composer did. Aug. 13 at 8:30: The opening concert includes performances of songs (featuring soprano Frances Lucey), several piano works, and String Quartet No. 4 (with the Wihan String Quartet). . . . ♪ Aug. 14 at 10 A.M.: A roundtable about Schoenberg's German, Jewish, and cosmopolitan identities. . . . ♪ At 2: Schoenberg's Serenade (Op. 24), as well as chamber works by his contemporaries Busoni, Schreker, and Pfitzner. . . . ♪ At 8: Schoenberg's "Gurrelieder," with Leon Botstein conducting the American Symphony Orchestra, Canticum Novum Singers, Bard Festival Singers, and various soloists (including narrator Werner Klemperer). . . . ♪ Aug. 15 at 10 A.M.: A roundtable considers how Schoenberg influenced today's music. . . . ♪ At 1:30: Schoenberg's early D-Major String Quartet (played by the Magellan String Quartet), plus works by his Viennese contemporaries Alexander Zemlinsky and Gustav and Alma Mahler. . . . ♪ At 4:30: Works by Berg, Szymanowski, Stravinsky, Reger, and others, which were premiered (sometimes in transcription) at Schoenberg's Society for Private Musical Performances, which took place between 1919 and 1921. (Bard College, Annandale-on-Hudson, N.Y. 914-758-3226. . . . **NOTE:** Preconcert lectures begin a half hour before each performance.)

MAYERICK CONCERTS—Aug. 14 at 8: An evening of tangos by Piazzolla. . . . ♪ Aug. 15 at 3: The Cuarteto Latinoamericano performs quartets by Chávez (his First), Shostakovich (his Seventh), Revueltas (his Fourth), and Villa-Lobos (his Fifth). (Woodstock, N.Y. 914-679-8217.)

MUSIC MOUNTAIN—The Brentano String Quartet plays Schubert's Quartet in G Major (D. 887) and Brahms's Piano Quintet (with Thomas Sauer assisting). (Falls Village, Conn. 860-824-7126. Aug. 15 at 3.)

ABOVE AND BEYOND

WALKING TOURS—Aug. 14 at 1 and 3: Volunteers from the Prospect Park Alliance visit the bullfrogs, mallard ducks, egrets, and black oak trees in Prospect Park's ravine, much of which is fenced off following its recent reconstruction. (For more information, call 718-965-6988.) . . . ♪ Aug. 14 at 2: Paul Angelo and Meridith Dickow, the artistic director and resident choreographer, respectively, of the New Ensemble Theatre Company, lead a literary pub crawl, starting at the White Horse Tavern (Dylan Thomas) and proceeding to Chumley's (John Steinbeck), the Cedar Tavern (Jack Kerouac), and other bars in Greenwich Village. (For more information, call 613-5796.) . . . ♪ Aug. 14 at 3: Howard Goldberg, of Adventure on a Shoe-string, rambles through Long Island City. (For more information, call 265-2663.) . . . ♪ Aug. 15 at 1: Big Onion Walking Tours sponsors a stroll through Chinatown, Little Italy, and the Jewish Lower East Side, with pauses along the way for sampling each neighborhood's delicacies. (For more information, call 439-1090.)

READINGS—Aug. 11 at 7:30: By Elizabeth Graver, from her novel "The Honey Thief." (Barnes & Noble, Broadway at 82nd St. No tickets necessary.) . . . ♪ Aug. 16 at 7: By actors Annmarie Benedict and André B. Blake, from short stories by Margo Rabb and Touré which won the 1999 Zoetrope/Sam Adams Short Story Contest. (Vivid, 143 Madison Ave., between 31st and 32nd Sts. For reservations, which are required, call 800-372-1131, ext. 5656.)

TALK—Aug. 15 at 11: By the Dalai Lama. (East Meadow, Central Park, Fifth Ave. at 98th St. No tickets necessary.) . . . **NOTE:** The Dalai Lama will also teach, for three days at the Beacon Theatre, working from two ancient texts, Kamalashila's "Stages of Meditation" and Togmay Sangpo's "The 37 Practices of Bodhisattvas." (Broadway at 74th St. 496-7070. Aug. 12-14 from 10 to 4.)

To victims of Nazi persecution and their heirs who may have claims against Swiss Banks or other Swiss entities relating to the Holocaust:

Swiss banks agreed to pay \$1.25 billion U.S. dollars to settle legal claims relating to the World War II era conduct of Swiss banks, Swiss businesses, and the Swiss government ("Swiss Entities").

The United States District Court for the Eastern District of New York (the "Court") will hold a hearing on November 29, 1999, to decide whether the Settlement should be given final approval.

Note that you may be included even if you did not have a Swiss bank account, and that this Settlement is different from the Swiss Humanitarian Fund.

Who Is Affected by the Settlement

You are affected by the Settlement if you fit into one of the following five Settlement Classes. Four Classes consist of "Victims or Targets of Nazi Persecution" (any individual, business or group persecuted or targeted for persecution by the Nazi Regime or its agents, because they were or were believed to be Jewish, Romani, Jehovah's Witness, homosexual, or physically or mentally disabled or handicapped), AND who:

1. Had assets on deposit with any Swiss bank, investment fund, or other custodian, prior to May 9, 1945, OR
2. May have claims against Swiss Entities relating to assets looted or taken by the Nazi Regime*, OR
3. Performed slave labor for entities that may have deposited the revenues or proceeds of that labor with or transacted that profit through Swiss Entities, OR
4. Unsuccessfully sought entry into Switzerland to avoid Nazi persecution, or after gaining entry, were mistreated, and may have related claims against any Swiss Entity.

The fifth Settlement Class includes any individual, whether or not a Victim or Target of Nazi Persecution, who performed slave labor in a work site, wherever located, owned or controlled by a Swiss Entity.

All Settlement Classes include heirs and successors of the persons and entities described above.

Even if you're not sure whether you are a member of one of the Settlement Classes, you should request a Mailed Notice and Initial Questionnaire. For example, if you performed slave labor, you may not know whether revenue or proceeds of that labor were deposited with Swiss Entities; you may still be a Settlement Class member.

How and When Claims will be Paid

No claims process or Plan of Allocation has yet been established. The Mailed Notice explains how you can make suggestions.

To receive further notice of a claims process, and ensure that you are able to file a claim, you must either mail a request for such notice to the address below, or complete and return the Initial Questionnaire attached to the Mailed Notice.

If the Court gives final approval of the Settlement, a Plan of Allocation will be adopted and the Fund will be disbursed. **Not all Settlement Class members who apply will be eligible to receive payments.**

If You Do Not Want to Participate

If you do not wish to participate in or be bound by the Settlement, you must exclude yourself by writing a letter so indicating, to the address given in the Mailed Notice, by October 22, 1999. If you do not, you will be barred from prosecuting any legal action against Swiss Entities relating to the settled disputes. If you exclude yourself, you will NOT be able to claim a portion of the Fund.

How to Comment or Object

You may comment on the terms of the Settlement by October 22, 1999. The Mailed Notice describes how to submit comments or objections. You have the right to appear at the November 29, 1999 hearing in person or through counsel, although you do not have to.

Who Represents You

The Court appointed attorneys as Settlement Class Counsel, and appointed Settlement Class Representatives, including Holocaust survivors, the World Jewish Restitution Organization ("WJRO"), and the World Council of Orthodox Jewish Communities. You do

not have to personally pay the Court appointed attorneys. Certain attorneys will apply to the Court for reimbursement of their costs, up to about .2% of the Fund. Certain Plaintiffs' attorneys will also apply for fees, up to at most 1.8% of the Fund. The Court may award a lower amount. Most attorneys will not apply for fees, and counsel for the WJRO will not apply for fees or costs.

Getting More Information

To learn more, fill out the request form below, call toll free 1-888-635-5483, or visit the website <http://www.swissbankclaims.com>

Send me the Mailed Notice and Initial Questionnaire.

Name _____

Address _____

City _____

State _____ Zip Code _____

Country _____

Preferred Language _____

This is NOT a Claim Form. Please mail this to:

Information
Holocaust Victim Assets Litigation
P.O. Box 8300
San Francisco, CA 94128-8300
USA

US-ENG-NYKR

1-888-635-5483

www.swissbankclaims.com

Scope of Release

The Settlement of this case (*In re Holocaust Victim Assets Litigation*, Master File No. CV-96-4849) concludes all legal actions and disputes against Swiss Entities relating to the Holocaust, World War II, Victims or Targets of Nazi Persecution, the Nazi Regime, treatment of refugees, or any related thing. The term "Swiss Entities" (or "Releasees") includes Credit Suisse and UBS AG (successor to Union Bank of Switzerland and Swiss Bank Corporation), and their former and current corporate parents, subsidiaries, affiliates, and branches; the Swiss National Bank; other Swiss Banks; the Swiss Bankers Association; the Swiss Confederation (including the Swiss government); all business concerns headquartered, organized or incorporated in Switzerland as of October 3, 1996; and certain other affiliates of Swiss concerns described in the Mailed Notice. Certain claims against various Swiss insurance companies listed in the Mailed Notice are not included in this Settlement.

* The second Settlement Class also includes claims against Swiss Entities relating to "Cloaked Assets," which are assets disguised by a Swiss Entity for the benefit of an Axis company or person associated with the Nazi Regime, between 1933 and 1946.

OPENING

BETTER THAN CHOCOLATE—A lesbian romantic comedy, directed by Anne Wheeler. Opening Aug. 13. (BAM Rose Cinemas and Quad Cinema.)

BOWFINGER—Reviewed this week in *The Current Cinema*. Opening Aug. 13.

BROKEDOWN PALACE—Jonathan Kaplan's tale of two teen-age girls who are imprisoned in Thailand for drug trafficking. With Claire Danes, Kate Beckinsale, and Bill Pullman. Opening Aug. 13.

DETROIT ROCK CITY—The adventures of four teen-agers in 1978 who will do anything to get into a Kiss concert. Directed by Adam Rifkin. Opening Aug. 13.

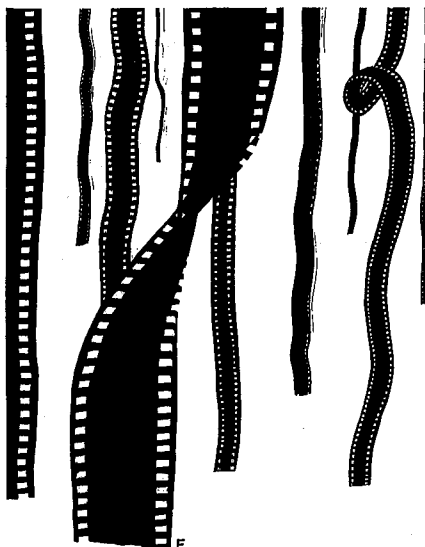
HEAD ON—Ana Kokkinos's story of twenty-four hours in the life of a young man coming to terms with his homosexuality. Opening Aug. 13. (Quad Cinema.)

MARCELLO MASTROIANNI: I REMEMBER—A documentary about the actor, who died in 1996. Directed by Anna Maria Tatò. In Italian. Opening Aug. 13. (Lincoln Plaza Cinemas.)

FILM NOTES

(If a movie has been reviewed recently in *The Current Cinema*, the date of its review is given.)

AMERICAN PIE—Four senior boys at a Michigan high school decide to end their status as virgins and undergo various erotic adventures—some ridiculous or humiliating, some gratifying—which they then relate to one another. The writer, Adam Herz, and the team of Paul and Chris Weitz (the first directs, the second produces) aim low and score. "American Pie" is often funny, but you may come out depressed by it. The coarseness in itself is not offensive, but the notion that privacy couldn't possibly be a value that matters to anyone is.—*David Denby* (7/12/99) (Chelsea Cinemas, Criterion Center, 84th Street Sixplex, First & 62nd Cinemas, Kips Bay Theatre, Park & 86th Street Cinemas, and Union Square.)



THE MOVIES

Theatre, Lincoln Square, Orpheum VII, 64th and 2nd, and Village East Cinemas.)

THE BLAIR WITCH PROJECT—A cunningly conceived and crafted exercise in suggestibility and terror. A student film crew goes out into the Maryland woods, attempting to record traces of a predatory witch who has, according to legend, held sway in the area for two hundred years. What we see is presented to us as the remnants of the project after the crew has disappeared. The footage has the haphazard continuity of tormented fragments; it's all handheld stuff, caught on the run. The documentary project is, of course,

and is more emotionally compelling than much of Chabrol's more refined work. The girls are Bernadette Lafont, Clotilde Joano, Stéphane Audran, and Lucile Saint-Simon; the cast includes Claude Berri and Pierre Bertin. Cinematography by Henri Decaë. In French.—*Pauline Kael* (Walter Reade Theatre; starting Aug. 13.)

BUENA VISTA SOCIAL CLUB—In 1966, the blues guitarist Ry Cooder gathered together some wonderful Cuban musicians in their seventies and eighties for a successful recording project. Two years later, Cooder went back to Cuba, this time accompanied by cameras and the German director Wim Wenders, seeking out the men and women of Cuban music on the streets and in the old dance halls of Havana. The musicians still look great, play beautifully, and exude a stirring seriousness and dignity; the movie comes closer to pure happiness than anything else in the theatres at the moment.—*D.D.* (Lincoln Plaza Cinemas and Village East Cinemas.)

THE CRY OF THE OWL (1987)—Several motifs of Claude Chabrol's early bourgeois thrillers reemerge in this throwback, including withering views of the provinces and uncannily well-observed dining scenes. But his awkward adaptation of Patricia Highsmith's 1962 novel marks a return to habit, not to form. Robert (Christophe Malavoy), a draftsman on the rebound from a calamitous marriage, takes a voyeuristic interest in Juliette (Mathilda May), whom he idealizes as a rock of stability and happiness. But when he gets to know her as a real live woman—and she falls for him, breaking off her engagement with the thoroughly mediocre Patrick (Jacques Penot)—Robert begins to wish he'd kept his distance. Chabrol relocates the action from a small town in Pennsylvania in the Kennedy era to Vichy, France, in the Mitterrand era. The new atmosphere seems too blasé to fuel tension, and three out of the four main characters have such minimal affect that they register only as pawns in their own mind games. The exception is Virginie Thevenet, as Robert's ex-wife, who brings a lewd zest to her malicious role. In French.—*Michael Sragow* (Walter Reade Theatre; Aug. 11-12.)

DEEP BLUE SEA—A degraded cross between "Jaws" and "Frankenstein." Medical researchers, with the best intentions, create super-intelligent sharks, which then turn their teeth on the scientists. Scary, absurd, inessential. With the spectacular Saffron Burrows as a singularly stupid scientist, Samuel L. Jackson as the pompous financial backer of the project, and many other actors, including Thomas Jane and LL Cool J, playing characters with varying class backgrounds. They all get chomped except for two; at least it's fun to guess who will survive. The disgraceful script is by Duncan Kennedy, Donna Powers, and Wayne Powers. Directed with occasional flashes of nasty wit by Renny Harlin.—*D.D.* (Criterion Center, 84th Street Sixplex, Kips Bay Theatre, Metro Cinema, 19th Street East 6, Orpheum VII, 72nd Street East, and Village Theatre VII.)

DEMON SEED (1977)—In this techno-erotic horror movie, Julie Christie is sensational as a sometime child psychotherapist stuck in a loveless marriage with a computer whiz (Fritz Weaver). His greatest accomplishment is a super thinking computer called Proteus IV—which isn't satisfied with being a machine. After wife and husband separate, Proteus IV takes one look at the woman of the house and decides to father a child with her. Proteus IV may sound like HAL with a sore throat, but he comes off as more of a humanitarian than his human masters (who want to use him for lucrative projects like strip-mining the ocean floor), and he insists that his child will make computers, not humans, obsolete. Although half the film is taken up with the computer's bullying of Christie, the director, Donald Cammell, doesn't control the sex-charged situations in the same way that, say, William Wyler did in "The Collector." But Cammell does stage a stunning action set piece of Proteus IV battling a young scientist (Gerrit Graham), and Christie's passionate, vulner-



Janeane Garofalo, Ben Stiller, Paul Reubens, et al., in "Mystery Men."

ARLINGTON ROAD—Jeff Bridges plays a college lecturer specializing in terrorism who befriends a neighbor couple named the Langs (Tim Robbins and an even scarier Joan Cusack); the question is whether they are befriend him back or using him for evil purposes. Mark Pellington's paranoid movie tends to state its intentions too baldly, and his evident desire to contribute to the debate over America's self-inflicted wounds seems like wishful thinking; but the film is undoubtedly creepy (the first ten minutes, in particular, are tough to watch), and most of the shocks strike home.—*Anthony Lane* (7/19/99) (Chelsea Cinemas, Kips Bay

fiction, created by five film nuts from Orlando, headed by Eduardo Sanchez and Dan Myrick. If it doesn't play at midnight on every college-campus theatre in the country, then midnight isn't what it used to be. In black-and-white and color.—*D.D.* (7/26/99) (Angelika Film Center, BAM Rose Cinemas, Chelsea Cinemas, East 86th Street Cinemas, 84th Street Sixplex, First & 62nd Cinemas, Kips Bay Theatre, Olympia, and State.)

LES BONNES FEMMES (1960)—This early episodic Claude Chabrol film, dealing with the yearnings and vulnerabilities of a group of shopgirls, is uneven and, in parts, somewhat tedious and tawdry, yet it has more tenderness

able performance keeps pulling the entire movie into her point of view.—*M.S.* (American Museum of the Moving Image; Aug. 15.)

THE DINNER GAME—Francis Veber's movie sounds disappointingly courteous; the original French title, "Le Dîner de Cons," is much ruder and certainly closer to the misanthropic spirit of this farce. The premise is as entertaining as you could hope for: every Wednesday, a bunch of smart young Parisians hold a dinner, to which each of them must invite a complete idiot. In this case, Pierre (Thierry Lhermitte) is delighted with his latest catch, Pignon (Jacques Villeret), a spherical buffoon whose principal talent is for making models out of matchsticks. Needless to say, Pierre's plan stumbles when Pignon offers to help him sort out his life. No one could claim that the film is a distinguished contribution to cinema, but it would be churlish to resist its geniality and speed. In French.—*A.L.* (BAM Rose Cinemas and Paris.)

EYES WIDE SHUT—A stiff, alas. The late Stanley Kubrick's last movie, based on Arthur Schnitzler's novella "Traumnovelle" (1926), is about a New York doctor (Tom Cruise) whose wife (Nicole Kidman) unexpectedly confesses her sexual interest in a young naval officer she spotted during a vacation. This revelation sends the doctor out into the streets of New York at night, where he is approached by a variety of women, undergoes perverse adventures, and finally winds up at an enormous, preposterous orgy. Kubrick's direction—ponderously deliberate and distant, lacking in the intimacy that the movie would seem to be crying out for—never gets a firm grip on either fantasy or reality.—*D.D.* (7/26/99) (Coronet Cinemas, Kips Bay Theatre, Lincoln Square, 19th Street East 6, Olympia, Orpheum VII, State, and Village Theatre VII.)

THE GAMBLER—Reviewed this week in The Current Cinema. (Film Forum.)

THE HAUNTING—Shirley Jackson's novel "The Haunting of Hill House" was first filmed by Robert Wise, in 1963, with Julie Harris and Claire Bloom. Now Jan De Bont ("Speed") has revisited the same unholy ground, and the leading roles go to Lili Taylor and Catherine Zeta-Jones. A professional fear expert named Dr. Marrow (Liam Neeson) asks the two women to stay at Hill House for a few sleepless nights, little knowing that the place is stalked by the ghost of bad movies past. Of the many slight flaws in this picture—it is, for instance, overlong, over-decorated, overplayed, and scripted with less coherence than a Scrabble board—the most troublesome is the evolution of old, cold houses, which were barely scary in the nineteen-sixties, into lumps of real estate. De Bont, who seems to be fighting artistic flab, tries hard to convince us that we should be freaked out by billowing curtains and banging doors—a gallant effort that should nonetheless be met with the scornful laughter that it deserves. With Owen Wilson as a doomed bringer of punch lines and Bruce Dern as the mad gatekeeper.—*A.L.* (8/2/99) (Criterion Center, First & 62nd Cinemas, Kips Bay Theatre, Lincoln Square, 19th Street East 6, Orpheum VII, and Village Theatre VII.)

AN IDEAL HUSBAND—Oscar Wilde's languorous play, newly adapted for the screen by writer and director Oliver Parker. The plot pits dastardly blackmail against upright honor, and one is scandalized, as ever, to find that honor wins the fight. The radiant Mrs. Cheveley (Julianne Moore) turns up in London and unearths a spot of compromising dirt from the past of Sir Robert Chiltern (Jeremy Northam), a tediously unsullied politician. He has a perfect wife (Cate Blanchett), an irritating sister (Minnie Driver), and a friend called Lord Goring (Rupert Everett), who shines like a naughty deed in a good world. So automatic is one's sympathy for Goring, and for Everett's low-toned, cunning performance, that the rest of the story, and most of the cast, feels thin and strained by

comparison.—*A.L.* (7/5/99) (Chelsea Cinemas, Gotham Cinema, Kips Bay Theatre, 34th Street Showplace, and Village East Cinemas.)

INSPECTOR GADGET—A short, meaningless blast of fun from Disney. The TV series is expanded, but not by much; the special effects have a cheerful, magic-toyshop feel to them, and the plot is equally low-tech. A humble security guard (Matthew Broderick) is blown up and then reconstituted; under his trademark raincoat (which makes him look like a dirty old man) lurk a thousand gizmos. Each of his fingertips, for instance, contains a different tool, and his head can fly upward on a spring. Thus accoutred, our man is ready to fight the force of evil, as incarnated in the unlikely person of Rupert Everett. A quandary: should Broderick and Everett be embarrassed to find themselves in this fluff, or should we be grateful that they agreed to lend it a little class? The quantity and intensity of product placement, including a last-minute plug for Disneyland, is a triumph of the publicist's art; it's a shame that the movie lags so far behind.—*A.L.* (8/2/99) (Chelsea Cinemas, East 86th Street Cinemas, Kips Bay Theatre, Lincoln Square, Sutton, and Union Square.)

THE LOVERS ON THE BRIDGE—Delayed for almost a decade, Leos Carax's long and gloriously infuriating movie has finally made it to these shores. It takes place around 1989, when France was celebrating the bicentennial of the Revolution, and is mostly set on the Pont-Neuf, the oldest bridge in Paris. Carax can hardly bear to leave the place, and neither can his characters: a tramp called Alex (Denis Lavant) and a half-blind runaway named Michèle (Juliette Binoche). They stumble into love, and their inarticulate affair is expressed in a storm of elemental images: grime, water, fire, and booze. Few films cover such a forbidding distance; Carax starts with handheld shots of the Parisian homeless and gradually rises to the climactic serenity of a waterskiing sequence along the Seine, with fireworks serenading the ecstatic Binoche. Like much of the picture, the scene makes very little sense, but it hooks into Carax's romantic, antisocial provocations, and you aren't going to forget it in a hurry. In French.—*A.L.* (7/19/99) (Quad Cinema.)

NEW YORK STORIES (1989)—A three-part anthology film, with sections by Martin Scorsese, Francis Coppola, and Woody Allen. Scorsese's intensely enjoyable "Life Lessons" features a masterly performance by Nick Nolte as an Action painter who needs tumult in his life. (Richard Price wrote the script.) Coppola's "Life Without Zoe" is a forgettable attempt to use New York as a city out of the Arabian Nights. Woody Allen's "Oedipus Wrecks" is a Freudian vaudeville about a Jewish lawyer (played by Allen) who feels that if he marries a Gentile (Mia Farrow) he'll escape his mother (Mae Questel). (He doesn't stand a chance.)—*P.K.* (Films on the Piers; Aug. 11 and Aug. 13.)

ORLANDO (1993)—Sally Potter's film is based on Virginia Woolf's 1928 novel, which is not one of the author's major works. The story is a fragile piece of whimsy about an English nobleman born in the Elizabethan era who does not grow old or die and thus becomes the central figure in a series of historical tableaux that bring the viewer right into the twentieth century; at a certain point, the title character discovers that he has turned into a woman. Potter (who also wrote the screenplay) takes Woolf's exercise in frivolity awfully seriously; the movie is like a Benny Hill sketch performed with fringe-theatre solemnity. Tilda Swinton, who plays Orlando, gives a smug performance that is perfectly suited to the film's arch, knowing tone.—*Terrence Rafferty* (Museum of Modern Art; Aug. 16-17.)

RUNAWAY BRIDE—A rumpled and eccentric romantic comedy with a fluctuating pulse and more odd corners than a rural junk shop. Julia Roberts is a bolter—a girl unsure of her identity, who keeps running

away from men at the altar—and Richard Gere, who has developed a new, becomingly wistful manner, is a sardonic New York newspaper columnist who shows up in Roberts's small Maryland town to turn her story into news. The two are drawn together by self-dissatisfaction and bafflement. Garry Marshall, who directed, takes his time exploring the town, and the movie that results is poky but often charming: With the invaluable Joan Cusack, goofing her way through long scenes of arguing and teasing, as Roberts's best friend. Written by the team of Josann McGibbon and Sara Parriott.—*D.D.* (8/9/99) (Art Greenwich Twin, Astor Plaza, Chelsea West, Kips Bay Theatre, Lincoln Square, Metro Cinema, New York Twin, Orpheum VII, and Union Square.)

RUN LOLA RUN—Lola (Franka Potente), a ferociously willful punk girl with red hair, has twenty minutes to come up with a hundred thousand marks and save her hapless boyfriend, Manni (Moritz Bleibtreu), from the wrath of a big-time Berlin gangster. The writer-director, Tom Tykwer, shows us one version of what happens, and then he gives us two others, each of which takes off from the initial circumstances but has the characters make different decisions along the way, producing different climaxes. The action of the movie is rush, rush, rush, but the effect is contemplative, almost meta-

THEATRE ADDRESSES

(For show times, call 777-FILM, except where noted.)

ANGELIKA FILM CENTER, 18 W. Houston St.
ART GREENWICH TWIN, Greenwich Ave. at 12th St.
ASTOR PLAZA, 44th St. at Broadway.
BAM ROSE CINEMAS, 30 Lafayette Ave., Brooklyn (718-623-2770).
BEEKMAN, Second Ave. at 66th St.
CHELSEA CINEMAS, 260 W. 23rd St.
CHELSEA WEST, 333 W. 23rd St.
CINEMA I, Third Ave. at 60th St.
CINEMA II, Third Ave. at 60th St.
CINEMA 3RD AVENUE, Third Ave. at 60th St.
CINEMA VILLAGE, 22 E. 12th St. (924-3363).
CORONET CINEMAS, Third Ave. at 59th St.
CRITERION CENTER, Broadway at 44th St.
EAST 85TH STREET, First Ave. at 85th St.
EAST 86TH STREET CINEMAS, Third Ave. at 86th St.
EASTSIDE PLAYHOUSE, Third Ave. at 55th St.
84TH STREET SIXPLEX, Broadway at 84th St.
59TH STREET EAST CINEMA, 239 E. 59th St.
FILM FORUM, W. Houston St. west of Sixth Ave. (727-8110).
FIRST & 62ND CINEMAS, 400 E. 62nd St.
GOTHAM CINEMA, Third Ave. at 58th St.
GUILD, 33 W. 50th St.
KIPS BAY THEATRE, Second Ave. at 32nd St.
LINCOLN PLAZA CINEMAS, Broadway at 63rd St.
LINCOLN SQUARE, Broadway at 68th St.
METRO CINEMA I AND 2, Broadway at 99th St.
MURRAY HILL CINEMAS, 160 E. 34th St.
NEW YORK TWIN, Second Ave. at 67th St.
19TH STREET EAST 6, Broadway at 19th St.
OLYMPIA I AND II, Broadway at 107th St.
ORPHEUM VII, Third Ave. at 86th St.
PARK, 4 W. 58th St. (688-3800).
PARK & 86TH STREET CINEMAS, 125 E. 86th St.
QUAD CINEMA, 34 W. 13th St.
THE SCREENING ROOM, 54 Varick St. (334-2100).
62ND & BROADWAY, 62 W. 62nd St.
64TH AND 2ND, Second Ave. at 64th St.
72ND STREET EAST, Third Ave. at 71st St.
STATE, Broadway at 45th St.
SUTTON I AND 2, Third Ave. at 57th St.
34TH STREET SHOWPLACE, 238 E. 34th St.
UNION SQUARE, Broadway at 13th St.
VILLAGE EAST CINEMAS, Second Ave. at 12th St.
VILLAGE THEATRE VII, Third Ave. at 11th St.
WAYVERLY I AND 2, Sixth Ave. at 3rd St.
WORLDWIDE CINEMAS, 50th St. between Eighth and Ninth Aves.
ZIEGFELD, 141 W. 54th St.

physical. In German.—*D.D.* (Angelika Film Center, BAM Rose Cinemas, Chelsea Cinemas, Eastside Playhouse, and Lincoln Plaza Cinemas.)

THE THOMAS CROWN AFFAIR—A spirited, entertaining remake of the profoundly unimportant 1968 movie that starred Steve McQueen and Faye Dunaway. In this version, Pierce Brosnan is the bored, man-who-has-everything plutocrat Thomas Crown, who makes off with a famous painting from the Metropolitan Museum of Art; Rene Russo is the insurance investigator who falls in love with him when she's supposed to be turning him over to the police. In a volatile, very naked sex scene, Russo, who has a big humorous face and a paralyzingly direct manner, pours champagne over Brosnan's head and slaps him on the rump. She can't change the actor's resemblance to a luxury item ordered from a catalogue, but at least she musses him up a bit. The movie is expert piffle for grownups, directed with great energy by John McTiernan and written with verve by Leslie Dixon and Kurt Wimmer. Denis Leary plays the unimaginative working-class cop who wants to catch Crown.—*D.D.* (8/9/99) (Beekman, Chelsea West, Kips Bay Theatre, Lincoln Square, Park & 86th Street Cinemas, State, Union Square, and Waverly.)

ALSO PLAYING

THE ACID HOUSE: Film Forum. . . **AUSTIN POWERS: THE SPY WHO SHAGGED ME** (reviewed in our issue of 7/5/99): Cinema 3rd Avenue and Criterion Center. . . **AUTUMN TALE:** BAM Rose Cinemas, Lincoln Plaza Cinemas, and Quad Cinema. . . **DICK:** Lincoln Square, Murray Hill Cinemas, 19th Street East 6, 64th and 2nd, State, and Village Theatre VII. . . **FREE ENTERPRISE:** Art Greenwich Twin. . . **ILLUMINATA:** Union Square. . . **THE IRON GIANT:** Chelsea Cinemas, Lincoln Square, Murray Hill Cinemas, Orpheum VII, 64th and 2nd, State, and Union Square. . . **A LITTLE BIT OF SOUL:** The Screening Room. . . **MY LIFE SO FAR:** Angelika Film Center and Cinema I. . . **MYSTERY MEN:** Chelsea Cinemas, Criterion Center, 84th Street Sixplex, First & 62nd Cinemas, Kips Bay Theatre, Orpheum VII, Union Square, and Waverly. . . **THE RED VIOLIN** (6/14/99): Lincoln Plaza Cinemas, Quad Cinema, and Union Square. . . **THE SIXTH SENSE:** Cinema II, Criterion Center, East 86th Street Cinemas, Kips Bay Theatre, Lincoln Square, and Village East Cinemas. . . **STAR WARS: EPISODE I—THE PHANTOM MENACE** (5/24/99): Murray Hill Cinemas, Union Square, and Ziegfeld. . . **SUMMER OF SAM** (7/12/99): 19th Street East 6, Sutton, 34th Street Showplace, and Village Theatre VII. . . **TARZAN** (7/5/99): Guild, Sutton, 34th Street Showplace, and Village East Cinemas. . . **THOSE WHO LOVE ME CAN TAKE THE TRAIN:** Cinema Village. . . **TRICK:** Chelsea Cinemas, Kips Bay Theatre, and Village East Cinemas. . . **TWIN FALLS IDAHO:** Angelika Film Center and Lincoln Plaza Cinemas. . . **WILD WEST** (7/12/99): Kips Bay Theatre and Union Squares. . . **THE WOOD:** Criterion Center, 84th Street Sixplex, Kips Bay Theatre, Orpheum VII, and Village Theatre VII.

REVIVALS, CLASSICS, ETC.

(Titles with a dagger are reviewed above.)

FILM FORUM 2, W. Houston St. west of Sixth Ave. (727-8110)—Through Aug. 12: "Some Like It Hot" (1959, Billy Wilder). . . From Aug. 13: "Cruel Story of Youth" (1960, Nagisa Oshima; in Japanese).

MUSEUM OF MODERN ART, Roy and Niuta Titus Theatres, 11 W. 53rd St. (708-9480)—A program of films significant to the development of cinema but not currently in the museum's collection. Aug. 12 at 2:30: "The Wild Bunch" (1969, Sam Peckinpah). . . Aug. 12 at 6: "L.A. Confidential" (1997, Curtis Hanson). . . Aug. 12 at 6: "The Merry Widow" (1925, Erich von Stroheim; silent). . . Aug. 13-14 at 2: "Near Death" (1989, Frederick Wiseman). . . Aug. 13 at



C'EST LA GUERRE: *The melancholy and guttural-voiced Erich von Stroheim, as an aristocratic German officer, and the elegant Pierre Fresnay, as his French counterpart, make friends across national lines in "La Grande Illusion," Jean Renoir's heart-breaking 1937 classic set in a German prison camp during the First World War. The movie (at the Lincoln Plaza Cinemas) also features Marcel Dalio, as the French-Jewish prisoner who receives many packages from home, and Jean Gabin, as the working-class hero Maréchal. Renoir's universalist sentiment angered the Nazis, who confiscated the negative in 1940 and moved it to Berlin, only to have the Red Army take it to the Soviet Union in 1945. Though the negative was returned to France in the sixties, it was only recently restored, and the new prints made from it are a revelation—the natural light in the outdoor scenes is beautiful, the little prison-camp entertainment show glows, the sound is clear and detailed. The movie remains as stirring and sweet-souled as ever.*

2:30 and Aug. 14 at 5: "Buffalo '66" (1998, Vincent Gallo). . . Aug. 13 at 6 and Aug. 14 at 2: "Targets" (1968, Peter Bogdanovich). . . Aug. 13 at 8 and Aug. 15 at 5: "Pink Flamingos" (1972, John Waters). . . Aug. 13 at 8: "Microcosmos" (1996, Claude Nuridsany and Marie Perennou). . . Aug. 15 at 2 and Aug. 16 at 6: "Au Revoir les Enfants" (1987, Louis Malle; in French). . . Aug. 15 at 2: "Directed by John Ford" (1973, Bogdanovich). . . Aug. 15 at 5: "Sans Soleil" (1982, Chris Marker). . . Aug. 16 at 2:30 and Aug. 17 at 6: "Orlando" (†). . . Aug. 16 at 6: "Schizopolis" (1996, Steven Soderbergh). . . Aug. 17 at 2:30: "Safe" (1995, Todd Haynes). . . Aug. 17 at 6: "Sugar Cane Alley" (1983, Euzhan Palcy).

WALTER READE THEATRE, Lincoln Center (875-5600)—A program of films directed by Claude Chabrol; in French, with English subtitles. Aug. 11 at 1 and 6 and Aug. 12 at 3:15 and 8:15: "The Cry of the Owl" (†). . . Aug. 11 at 3:15 and 8:15 and Aug. 12 at 1 and 6: "Hell" (1994). . . Aug. 13 at 1, 3:15, 5:30, 7:45, and 10; Aug. 14-15 at 6 and 8:15; Aug. 16 at 1 and 8:30; and Aug. 17 at 1, 3:15, 6, and 8:30: "Les Bonnes Femmes" (†). **BAM ROSE CINEMAS**, 30 Lafayette Ave., Brooklyn (718-623-2770)—A program of films directed by François Truffaut; in French, with English subtitles. Aug. 11: "The 400 Blows" (1959). . . Aug. 12: "Stolen Kisses" (1968). . . Aug. 13: "Bed and Board" (1970). . . Aug. 14: "Love on the Run" (1979). . . Aug. 15: "Jules and Jim" (1961). . . Aug. 16: "Paths of Glory" (1957, Stanley Kubrick). . . Aug. 17: "Double Indemnity" (1944, Billy Wilder).

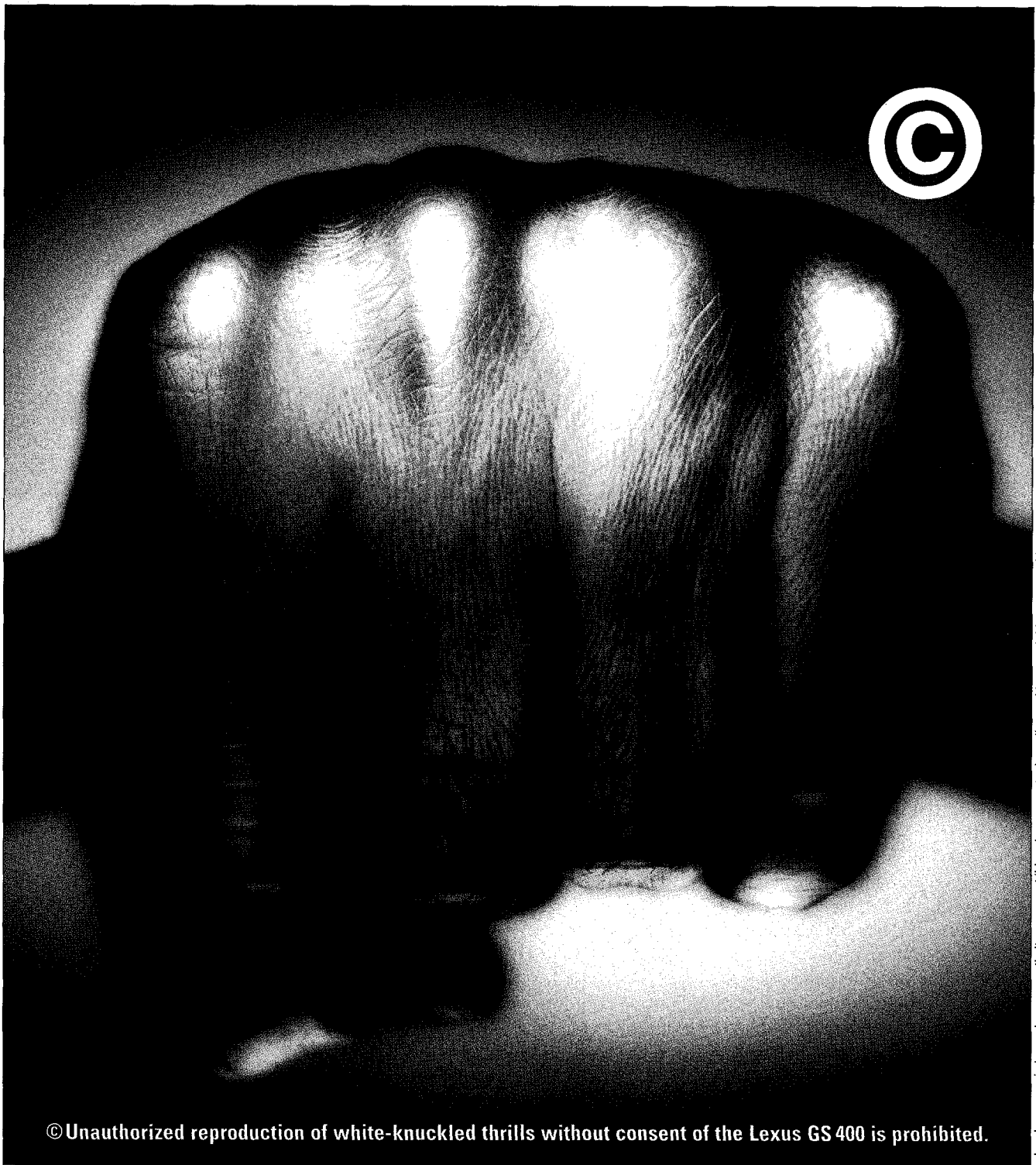
AMERICAN MUSEUM OF THE MOVING IMAGE, 35th Ave. at 36th St., Astoria (718-784-0077)—Aug. 14 at 2: "Performance" (1970, Donald Cammell and Nicolas Roeg). . . Aug. 14 at 4: "Donald Cammell: The Ultimate Performance" (1998, Kevin Macdonald), a documentary. . . Aug. 15 at 2: "Demon Seed" (†). . . Aug. 15 at 4: "White of the Eye" (1987, Cammell).

BRYANT PARK, Sixth Ave. at 42nd St.—Mondays, starting at dusk: free drive-in-style movie-going, beginning with coming attractions, trailers, and cartoons. The feature on Aug. 16 will be "Mildred Pierce" (1945, Michael Curtiz). (For rain-date information, call 512-5700.)

A DIFFERENT LIGHT BOOKSTORE, 151 W. 19th St. (989-4850)—A Sunday-night series of free films (and popcorn). On Aug. 15 at 7, the feature will be "The Pirate" (1948, Vincente Minnelli).

ANTHOLOGY FILM ARCHIVES, 32 Second Ave., at 2nd St. (505-5110)—Aug. 12 at 2, Aug. 13 at 7:30, Aug. 14 at 10, and Aug. 15 at 5: "They Live by Night" (1949, Nicholas Ray). . . Aug. 12 at 9, Aug. 14 at 7:30, and Aug. 15 at 7: "Le Doulos" (1962, Jean-Pierre Melville; in French). . . Aug. 13 at 7 and 9 and Aug. 14 at 2 and 5: "Mamma Roma" (1962, Pier Paolo Pasolini; in Italian). . . Aug. 13 and Aug. 15 at 9:30: "The Land of Look Behind" (1982, Alan Greenberg).

FILMS ON THE PIERS—Films made in New York City are being shown (free, with free popcorn) on two of the city piers. "New York Stories" (†): Aug. 11 at 8:30 on Pier 54 (at 13th Street) and Aug. 13 at 8:30 on Pier 25 (at North Moore Street). (There are no rain dates.)



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THE TALK OF THE TOWN

COMMENT

Free Linda Tripp!



LATE last month, a grand jury in Maryland's Howard County indicted Linda R. Tripp on two felony counts relating to illegal wiretapping. The charges, of course, grew out of Tripp's famous surreptitious recordings of phone calls with her friend Monica Lewinsky. As scarcely anyone will need reminding, it was the epochal girl talk captured on those tapes that led to the impeachment unpleasantness in Washington earlier this year.

There's no point in denying that at first the news that Tripp had been indicted felt . . . good. Few public figures on the American scene have drawn more scabrous press coverage than the Pentagon official, but then few have so richly deserved it. She had betrayed her friend in pursuit of political payback and book-deal riches, and then claimed that it was really patriotism and self-preservation that led her to Radio Shack. Who can forget her assertion, on the steps of the Washington courthouse, that "I'm you," or the response from her fellow-citizens: "No, you're not!" Tripp is such an odious figure that one has to take an especially deep breath before recognizing the truth about the case against her—that it is an unwise and unfair prosecution, which draws precisely the wrong lesson from our recent national ordeal.

The saga began with Paula Jones's lawsuit against Bill Clinton, which was nominally a sexual-harassment case but was in fact a vehicle for the President's enemies to use the legal process to advance their political goals. After almost four years of toil, Jones's conservative patrons succeeded in grafting their case

onto the Whitewater investigation run by Kenneth W. Starr, the Independent Counsel. Starr, in turn, took the evidence from the Jones team and parlayed it into his own intemperate attack on the President, in the form of his impeachment report to Congress last September. At each step, the political motives of these legal actors—in both the Jones case and the Starr investigation—polluted the atmosphere for justice.

So, too, in the Tripp case, except that liberals are the villains this time. The investigation of Tripp came about when forty-nine Democratic state legislators

ther had anyone else in Maryland. No one keeps precise figures on this sort of thing, but the Tripp prosecution appears to be the first illegal-wiretapping felony case brought in the state in at least a decade. That fact alone suggests that Tripp's pursuers began with a defendant and then searched for a crime. (Liberals correctly criticized Starr and the other independent counsels for targeting individuals rather than their offenses, but it's just as wrong when Democrats do it.)

Yet the problems with the Tripp prosecution go even deeper. When she triggered Starr's Lewinsky investigation, last January, Tripp's lawyer negotiated an immunity agreement for her. She turned over the tapes to Starr, who promised that they could never be used against her. The Maryland prosecutors will argue that her federal immunity does not cover a criminal prosecution in a state court. If the defendant were someone else, civil libertarians would be outraged by this argument—that after one branch of the government has promised you immunity for a potential crime, another branch is free to try to throw you in jail for it. Unfortunately for the prosecutors, the courts take grants of immunity very seriously. (Oliver North had his conviction overturned with a weaker immunity claim than Tripp has.) On the day of the indictment, Montanarelli acknowledged that "immunity will be a problem, but we will face it in the future." For now, though, the State Prosecutor can bask in the praise of his colleagues in the liberal lynch mob.

In the political wars of the Clinton years, the invocation of the law—whether in civil suits or in criminal investigations—has invariably made things worse both for the individuals involved and for the country as a whole. As Clinton's many legal pursuers discovered, their excessive zeal only generated



Linda Tripp

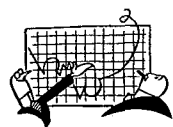
called on the Republican State's Attorney in Howard County, Marna McLendon, to turn the Tripp probe over to Stephen Montanarelli, a Democrat, who holds the position of State Prosecutor for Maryland. These Democrats had never before shown any special concern about the problem of illegal wiretapping. Nei-

sympathy for their prey, and much the same thing is likely to happen with Linda Tripp. Her handlers are already revelling in her incipient martyrdom. But the law cannot, and should not, exceed the cruel and unusual punishment that Tripp has already received: she has to live with herself.

—JEFFREY TOOBIN

WALL STREET FOLLIES

Where are all the paper billionaires in the on-line porn business?



AS everyone knows, the Internet-stock frenzy has no limit. It seems that any six-month-old, money-losing firm can now issue shares and achieve a market capitalization equal to that of General Electric. (Even more remarkable, anyone can now use the term "market capitalization" and expect to be understood.) There is, however, one very large area of Internet commerce that has not participated in the creation of paper billionaires: adult entertainment. At least a third of the activity on the Internet is thought to involve pornography. Given that fact, and given that pornography—unlike the majority of public Internet businesses—is very profitable, you wonder why adult sites have not gone public. With actual earnings, you'd think they would create spectacular, instant riches for their proprietors.

One on-line pornographer does seem to be getting close to an I.P.O. Internet Entertainment Group, the sponsor of such sites as pussy.com and clublove.com, has been trying to go public for more than a year, and its president, Seth Warshavsky, now expects an offering to occur within the next ninety days. "It's taken so long because we've been trying to structure the deal for the biggest bang," he said. (The double entendre was entirely unwitting.) Warshavsky said that he could not disclose many details, but he claims that his underwriter is a well-respected investment bank. "All the banks have been very interested in the deal," he said, "but some of the Grade A firms have been worried about how it would affect their other relationships. They ask, 'How would it affect our deal with the United Way or our

institutional investors or the wives of our other clients?' Nobody wants to be the first one."

According to Warshavsky, I.E.G. earned fifteen million dollars last year on revenues of fifty million; he values the company at between two hundred and five hundred million dollars. At the high end, that makes for a price-earnings ratio of thirty-three, which is in line with the S. & P. 500; Yahoo!, in contrast, has a price-earnings ratio of around six hundred.

Warshavsky owns fifty per cent of I.E.G., so his stake could be worth a couple of hundred million dollars. With the I.P.O., he hopes to raise around thirty million dollars, which he intends to use to create interactive television and also to acquire competitors in the Internet porn business, "for economies of scale," he said.

If I.E.G. does sell stock to the public, it will be the first company of its kind to do so. Scott Sippelle, the co-founder of Midtown Research Group, which specializes in new public companies, said, "It wasn't too long ago that many leading firms would not even do deals for gaming stocks. This would be a quantum leap from that." Indeed, bankers and analysts were reluctant even to be interviewed about Internet pornography, so it's hard to imagine how their broker colleagues would handle a stock sale.

"There's an analogue in the physical world," said one analyst, who asked that his name not be used. "I'm not aware of any companies that publish pornography and are public."

It's not only the investment bankers, however, who resist this kind of I.P.O. "I'm often asked why I don't go public," says Mark Tierra, who is the president of a trade organization called United Adult Sites, and who manages several pornographic Web sites himself (covergals.com, thefreepornsite.com, fetishhotel.com). "I say that I don't need the capital. Someone who is new might want to do it. But it's a high-profit business, so you don't need capital if you're established." A public company must conform to a lot of S.E.C. regulations that do not apply to a private company, so for entrepreneurs in his position, Tierra said, going public isn't worth the trouble. On being asked why he wouldn't want to be worth five hundred million dollars, he responded, "That's just an exercise

in ego. It's only something on paper."

Bill Gates often talks about how in the information age we are achieving "frictionless capitalism." Yet some irregularity must exist if legal, popular, and profitable Internet businesses lack access to our capital markets. What economic theory can account for lasciviousness and prudery? Frictionless capitalism may truly arrive only when there are frictionless people.

—JAMES COLLINS

THE SPORTING LIFE

The man who whispers in Hideki Irabu's ear.



THE Japanese language is highly nuanced and fraught with endless, diplomatic shadings of politeness and intent. So it's no wonder that, even as the Yankees sail toward another pennant, and George Rose's controversial client, Hideki Irabu, enjoys an eight-game winning streak, Rose still won't reveal the exact translation of the phrase "fat pussy toad." After all, Rose, who is Irabu's full-time interpreter, was not actually in the room on that day back in April when the Yankees' owner, George Steinbrenner, let loose his impromptu critique of Irabu. That took place in Tampa, Florida, on the Yankees' last day of spring training. Irabu, who arrived in New York with great fanfare two years ago from the Chiba Lotte Marines, of the Japanese Pacific League, had failed to cover first base on a routine ground ball, causing Steinbrenner to blow his top, like an irate heckler.

"The team wanted Hideki to be the best pitcher he could be" is all that Rose, choosing his words with characteristic precision, will offer. Rose says that he's more comfortable translating arcane baseball terms like "brushback pitch" ("burasshu-boru") and "curveball" ("kabu-boru"). "Some of the language can be a little weird," he says. "Take the translation of the sentence 'That batter's cheating on the fastball.' You don't want to say the batter's not playing by the rules; he's just betting on a fastball early in the count. 'Yama o haru' is Japanese for 'piling up a mountain,' or 'laying a bet.' So a batter who routinely swings on hunches

would be called 'Yama-hari batta.' It took me a while to figure that one out."

Rose's fresh, well-trimmed looks make him seem more like an overgrown batboy than like a linguistics scholar. He grew up a Yankees fan, in Garden City, Long Island, and learned Japanese while teaching English, after college, in a fishing port on the east coast of Japan. Irabu, who lives in Fort Lee, New Jersey, during the season but returns home to Osaka every winter, once dominated Japanese



Hideki Irabu and George Rose

hitters with his clipping fastball. He was first acquired by San Diego, but demanded to play for the Yankees, declaring a special affinity for Babe Ruth. (When Steinbrenner called him a fat toad, he weighed two hundred and fifty-three pounds.)

Rose discussed his craft the other day, before a game up at Yankee Stadium. He kept a fraternal eye on Irabu, who scampered around with other Yankee players on the green outfield grass. Already that day, Rose had translated an interview for a female reporter wearing powder-blue shoes (Irabu wouldn't comment on his favorite movies) and had given the Yankees' massage therapist the correct Japanese term for lactic acid ("nyuusan"). He and Irabu sit together on airplane flights, drive Nissan automobiles, and share a fondness for sushi. On days when Irabu pitches, Rose will gather with the Yankee coaches and translate strategies. During games, he's not allowed in the dugout, so he loiters in the clubhouse with two well-thumbed Japanese-language dictionaries, ready to answer questions when they come up.

Finally, Rose recounted the famous "fat toad" incident in fits and starts, like a survivor of some cataclysmic event. "It was a strange day," he said. "I just

concentrated on doing the next right thing." Steinbrenner had made his comments to a group of reporters, not to Irabu himself. ("He looked like a fat, pus-sy toad out there, not covering first base," the *Times* quoted the boss as saying. "That's not a Yankee.") Rose eventually had to translate part of this message for his client ("koshinuke debu gamagaeru" is one Japanese translation for "spineless fat toad"), and the gist of it seems to have sunk in. Irabu has not lost a game since May 25th, and threatens to become one of the team's dominant pitchers.

Now Irabu trotted off the field, and Rose made ready to follow. "I try to be available for water-cooler conversations," he said. "That kind of stuff." His fondest memory of their collaboration took place after last year's World Series championship (he owns a diamond-encrusted championship ring). Rose has a locker in the clubhouse, and when the Yankees swept San Diego he ran out onto the field, albeit tentatively. "I sort of hung back from the pileup, but when I saw Hideki we hugged." As for Steinbrenner, Rose said that all is well. "In Japanese, there's the honorific, the polite form, and the everyday," he explained. "There are no emperors in this country, so he dispenses with the honorific. 'But when I'm translating for Mr. Steinbrenner I always use the polite form.'"

—ADAM PLATT

DEPT. OF HUMAN NATURE

A souped-up pie chart might put divorce lawyers out of business.



SOMETIMES, all that separates a person from happiness is the right algorithm. Take divorce, for instance. How to divide the stuff? One can hire a lawyer and spend years and thousands of dollars fighting, or one can make use of a neat new formula devised by Steven Brams, a professor of politics at New York University, and Alan Taylor, a professor of mathematics at Union College. Brams and Taylor call their algorithm the

"adjusted-winner" method. In their new book, *"The Win-Win Solution: Guaranteeing Fair Shares to Everybody,"* they explain that their system guarantees freedom from envy—which is to say that anyone who employs it should emerge from a dispute unwilling to exchange his portion for another. The method can be used not only in divorce cases but to arbitrate any dispute in which goods are to be divided—corporate mergers, say, or peace negotiations in the Middle East. Brams and Taylor recently took out a patent on their idea, so as to be prepared should it prove commercially interesting.

It works like this: each party gets a hundred points to divide among the goods in question. Suppose Brittany and Brandon own a house, a dog, tools, and a truck. Brittany never much liked the dog, or the home theatre Brandon installed in the house, but she loves the tools and her sense of self is all bound up in the truck. She values the truck at fifty, the tools at twenty-five, the house at twenty, and the dog at five. Brandon never learned to use the tools and always felt a little self-conscious driving the truck, but he considers the dog to be a close friend and hates the thought of moving the home theatre to a strange place. He values the dog at fifty, the house at forty, and the truck and the tools at five apiece. Each person is initially given the items he or she values most: Brittany gets the truck and the tools; Brandon gets the house and the dog. But that gives Brittany seventy-five points and Brandon ninety. In order to even things out, the house is sold, and Brandon gets three-quarters of the price (worth thirty points to him, leaving him with a total of eighty), while Brittany gets one-quarter (worth five points to her, leaving her also with eighty).

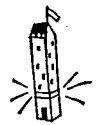
Naturally, the Brams-Taylor method isn't perfect. It guarantees only that a sincere participant will receive at least fifty per cent of the pie as he or she values it. The parties might end up with parcels of very different monetary worth—if one attaches great importance to a dog, for instance, or if another ranks his preferences dishonestly, for strategic reasons. Then there is the question of spite. What if Brittany's attachment to the tools and the truck is nothing compared with her fervid desire to deprive

Brandon of his faithful friend the dog? And what if even Brandon's love for the dog pales beside the pleasure of leaving Brittany truckless? Brams and Taylor believe that their method's inflexible hundred-point framework will give pause to the malicious and encourage a more constructive state of mind. "Hopefully, when people realize that spite will hurt them as well as the other person, there'll be a sense of self-preservation," Taylor says. "People will ask themselves, Is it really worth it?" Perhaps, though, the algorithm's inventors are wrong not to take spite seriously. They don't seem to believe that, for some, making a former loved one miserable may be genuinely more rewarding than the ownership of a household appliance.

—LARISSA MACFARQUHAR

MASTER BUILDERS

Donald Trump strikes again.



THE General Motors Building has never been the kind of beloved New York icon that the Chrysler Building is, or Rockefeller Center. Those shiny white marble columns and fifty stories of bay windows have always seemed a bit garish for the corner of Fifth Avenue and Fifty-eighth Street. Most New Yorkers over the age of fifty never forgave the architect Edward Durell Stone for designing the building in the first place, since it replaced the beautiful Savoy Plaza Hotel. And most younger New Yorkers probably think of the General Motors Building as just another of the big boxes from the nineteen-sixties, only bigger than the others, and a lot whiter.

But there may soon be a wave of nostalgia for the General Motors Building of days gone by. Last year, Donald Trump took control of the building (actually, he runs it with Conesco, an insurance company) and decided that he knew precisely what the façade needed: five gold-colored letters, four feet high, attached to the columns at the base. You can guess what the letters spell. And then, in case anyone missed them, Trump ordered up four more sets of letters, a little smaller, to go at the building's corners.

The effect is startling, since the let-

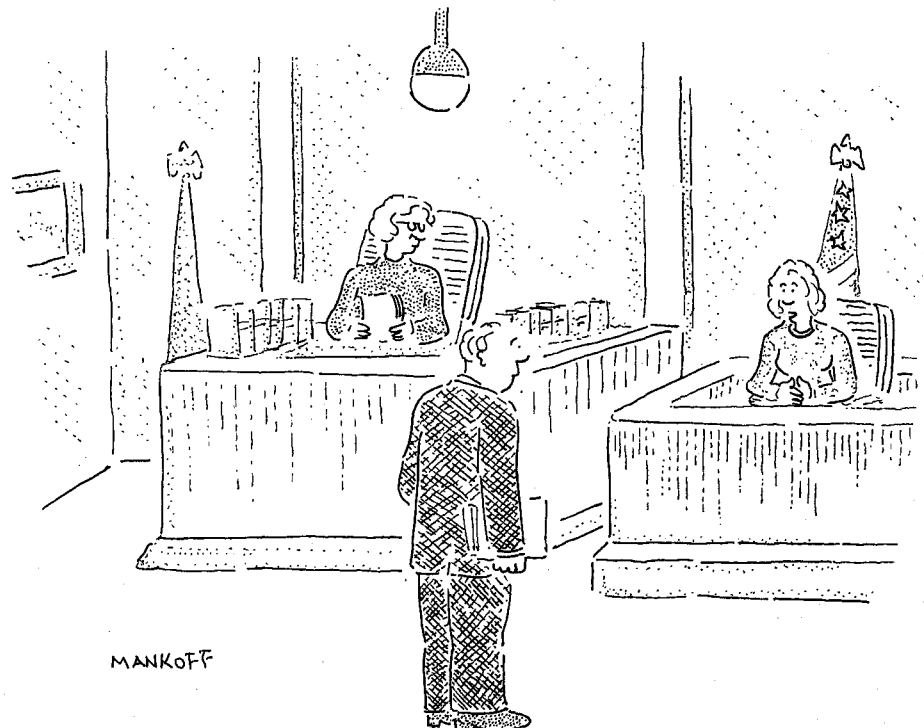
ters are wider than Stone's marble columns, and they have been crafted to wrap around the columns, making Trump's name appear almost to float in front of the building, like a vast, shiny hologram. Trump says that putting his name on the building was nothing personal, just a business decision, based on his belief that his name makes any building more valuable. "The name is a great name, I tell you, it's a great name," he said the other morning as he walked over to the building from his office in Trump Tower. "We're getting tenants who wouldn't come without that," he said, pointing to the sign. "Without that, you have Houlihan's," he added, pointing to the chain restaurant that he plans to evict from the sunken plaza in front of the building as soon as its lease expires. "Without that, I couldn't get ninety-five dollars a square foot."

Trump is aware that the sign may rub some people the wrong way. That may be why he describes the letters as only two feet high—probably the first time in his life that he has played down the size of something he owns. Nonetheless, he considers the new sign to be a masterwork. "It's titanium, and it's really expensive," he said. "I know some people hate it. But, I tell you, some people love it, and the way they wrapped

those letters around the corner—I have to say, the sign guy is a genius."

In an uncharacteristic display of restraint, Trump has allowed the building to continue to be called the General Motors Building, although it is not only the General Motors Building. According to temporary billboards that Trump has erected on Fifth Avenue, the tower is now officially the General Motors Building at Trump International Plaza.

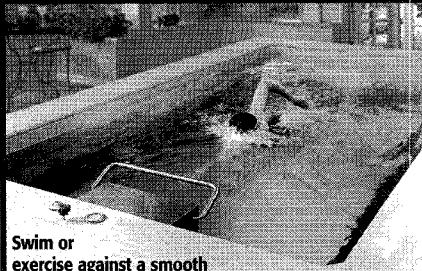
The plaza itself will be quite different when Trump and his designer, the landscape architect Thomas Balsley, are finished with it, and this part of the job is likely to cause less alarm than the big gold letters and even win some admiration. The plaza has always been a bleak hole on Fifth Avenue. Because Trump has rented the north end of the building's ground floor to CBS for a new, glass-enclosed studio, he is redesigning the plaza to allow for the crowds likely to gather outside for a glimpse of Bryant Gumbel, and that has given him and Balsley an excuse to fill in the hole, leaving it a fraction of its original size. The new design calls for eight trees at each end of the plaza, but no trees in the middle, to insure that nothing gets in the way of a clear view from Fifth Avenue toward the front door—and the gold letters above it. —PAUL GOLDBERGER



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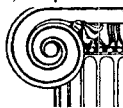
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LETTER FROM LAS VEGAS

THEY LOVE ME!

*Oscar Goodman was once known as the Mob mouthpiece.
Now he speaks for all the town's citizens.*

BY CONNIE BRUCK

IN mid-March, the veteran Mob attorney Oscar Goodman and about a hundred other prominent members of the Las Vegas community boarded a jet chartered by the Mirage casino and took off for Biloxi, Mississippi. Their host, a gambling impresario named Steve Wynn, had invited them to visit his newest spectacle: the Beau Rivage hotel and casino—its lobby perfumed by forty-foot magnolia trees, its Japanese restaurant encircled by more than four thousand stalks of bamboo, and its ten-million-dollar Brazilian-hardwood marina touted as the most expensive (per slip) in the world. Wynn, who got his start in Las Vegas in the sixties as a liquor distributor, is largely responsible for the Strip's renaissance. In 1973, he took over the Golden Nugget casino, and in the past decade he has built the Mirage, Treasure Island, and the Bellagio, which has its own gallery of modern art ("Now appearing: Van Gogh, Monet, Renoir, and Cézanne"). Wynn seems himself to have undergone a transformation, in the public mind, paralleling that of Las Vegas; today, a newcomer in town rarely hears his name unattended by superlatives and the word "visionary," and he is thought by many to exert a kind of hegemony over whatever interests him in Nevada's political, business, and social life. In March, the political event of the moment was the Las Vegas mayor's race.

Ten days before the flight to Biloxi, Oscar Goodman had declared himself a candidate. The trip, therefore, would provide him an opportunity to work a moneyed, influential crowd, and also to importune Wynn for his support. Wynn thus far had been unwilling to commit himself to Goodman, with whom he had been friendly for decades. But *any* show of favor would help. Goodman's law partner, David Z. Chesnoff, told me, "When Steve, on this trip, referred to

Goodman as 'Mr. Mayor' it boosted his credibility with those people."

Goodman's credibility certainly needed a boost. His candidacy had been greeted by many pundits in town with derision. Four days after he filed, the *Las Vegas Review-Journal*, Nevada's dominant newspaper, ran a lead editorial headed "ANYBODY BUT OSCAR," with the subhead "Mob Mouthpiece Wrong Guy for Mayor." The editorial declared, "As the most visible personification of the 'new' Las Vegas, he'd be a P.R. catastrophe." Goodman appeared undaunted by the attack. ("I learned a long time ago, as a criminal lawyer, that you can never show weakness," he says. "I used to come into court with the biggest losers, and I'd swagger around like, 'Are you kidding? You are *trying* my client?'"")

On this trip, Goodman, a man who, at sixty, is so animated and charming when he chooses to be that his odd looks—he has a hawk nose and beady eyes—become appealing, is said to have tried out a line that he would use repeatedly as his campaign progressed: "I'm running for mayor, I need your financial support. And if you don't give it to me"—he breaks into a squinty-eyed grin—"I'll have you *whacked!*"

Thus began a somewhat strange episode in American electoral politics. A man who had spent much of his professional life defending mobsters, who was viewed by some law-enforcement officials not merely as an independent defense lawyer but as a consigliere, and who had adopted Mob tenets as his own—reviling prosecutors and the F.B.I., excoriating "rats" as subhuman, and refusing to represent any client who was willing to cooperate with the government—was offering himself as a candidate for public service. Las Vegas, of course, is a singular place, one where there is a "comfort level" with the Mob, as a longtime resident explained to me; where the walls of a popular deli,

Freddy G's, are lined with photographs of the town's luminaries, including criminals (and gold plaques are placed at the end of each banquette, for those who have, in one way or another, passed on); and where stigma attaches more popularly to the government (certainly to the F.B.I. and the I.R.S.) than to the outlaw. According to Goodman's campaign manager, Jim Ferrence, when one of Goodman's opponents ran a TV ad showing footage in which Goodman likened Feds to Nazis, it helped Goodman more than it hurt him. Even so—even here—Goodman was the darkest of dark horses. Before he decided to run, he says, "My friends would tell me, 'You couldn't win for dog catcher!'"

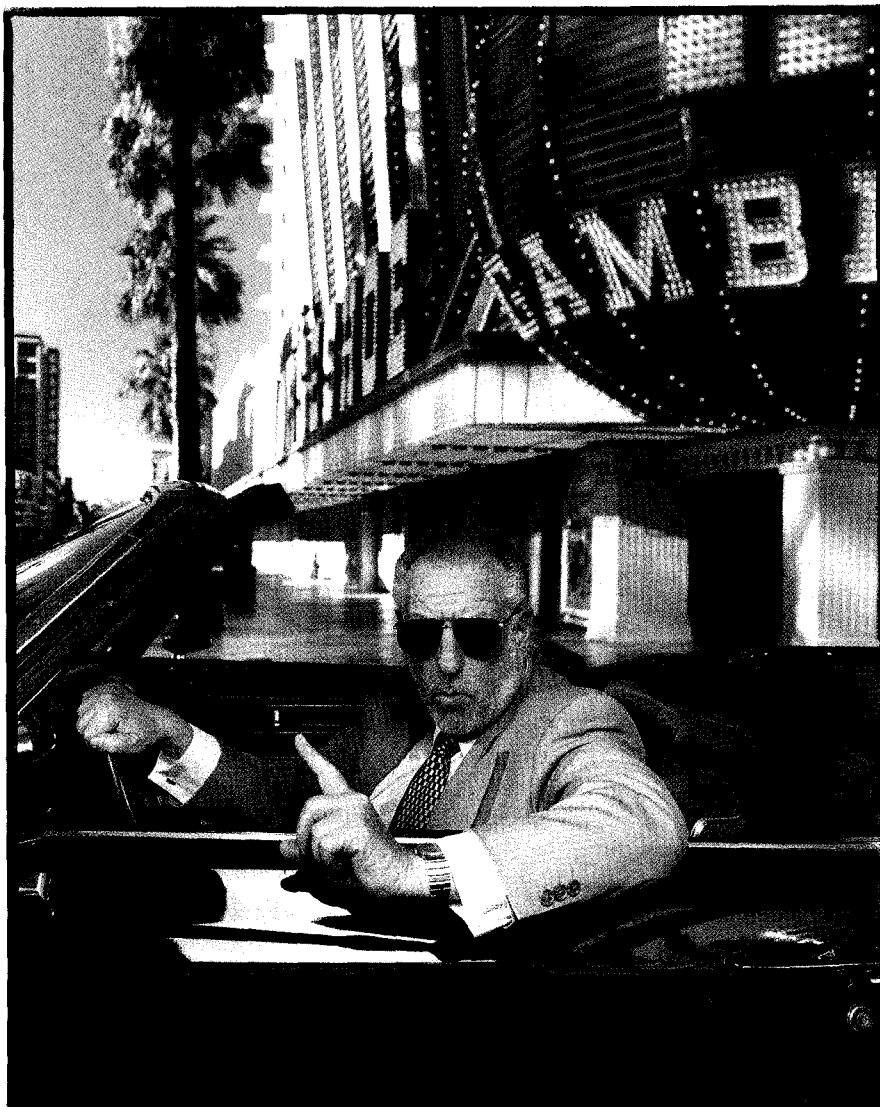
IN the course of the last fifteen years or so—while representing defendants like Philip Leonetti, the underboss in the Philadelphia crime family headed by Nicodemo Scarfo; Nick Civella, the boss of the Kansas syndicate; and, most famously, Tony (the Ant) Spilotro, who was the Chicago outfit's overseer in the Southwest—Goodman had been musing about running for office. He considered various posts—senator, lieutenant governor, mayor—and from time to time consulted political advisers. His preoccupation seemed far-fetched, but his impulse was a common one: to revisit, relatively late in life, a decisive fork in the road he had faced when he was young—and take the other fork. Goodman was raised in a middle-class Jewish family in Philadelphia. His mother is an artist and his father was a prosecutor for many years and, subsequently, a criminal-defense attorney; his father's great ambition was to become a federal district-court judge, but, according to Goodman, he was never named to the bench because he refused to make a required political contribution—a thwarting that Goodman refers to as "heartbreaking." Having majored in sociology at Haverford College, a school founded by Quakers, Goodman says that he lost interest in material things and became imbued with a desire to do good. He thought of becoming a rabbi, but a Bryn Mawr girl he'd fallen in love with, Carolyn Goldmark, dissuaded him, and he decided to go to law school instead.

After visiting Las Vegas on a junket in 1964, Goodman decided that it was a tantalizingly open field—"a clean, crisp

beacon in the desert"—brimming with opportunity for an enterprising young lawyer, and he and Carolyn, whom he had married in 1962, moved there, as he likes to say, "with eighty-seven dollars between us." At that time, the casinos, already the economic lifeblood of the town, were openly run by the Mob.

ownership changes almost every year."

As federal prosecutions of Mob cases got under way in the late sixties and early seventies, Goodman won some cases against the government and became more and more sought after—even by someone as high in the organized-crime hierarchy as Meyer



His Honor the new mayor keeps a list of those who have attacked him: "I don't care how long it takes, but I will get them." Photograph by Firooz Zahedi.

A friend of Goodman's, a longtime Las Vegas resident, expressed a nostalgia widespread among her peers: "Before the I.R.S. came in, in the seventies, it was a real Western town, where people took care of their own. Yes, there was skimming, and the government didn't get its full share. But if you worked in a casino and anyone in your family was sick, there was money to take care of that—it was all so personal, everyone knew everyone. Now the corporations have taken over the casinos, and

Lansky. Goodman's anti-materialism evidently faded—"There was never a day I didn't make money," he asserts—and his reputation as a rich, flamboyant, confrontational Mob lawyer was established. "He was only twenty-nine years old, and he used to drive around town in a white Rolls-Royce—it was like he was saying 'Up yours!'" a former government prosecutor recalled. Goodman became known for his zealotry: he called the Feds liars and crooks, and he regarded the representation of his



"I hear he came into money and moved to a portobello."

clients as a moral crusade. He insisted, time and again, that there was no such thing as the Mafia—that it was a concoction of the federal government—and he developed a demeanor with prosecutors that was so threatening ("I'll have your job for this!" or "I'll bury you!") that he could have passed for one of his clients. As for those clients, he treated many of them more like family—"with a small f," as he would say.

When it came time for his daughter's bat mitzvah, Goodman didn't give a party at one of the casinos, as was commonly done. The reason he didn't was that many of his clients, listed in Nevada's so-called Black Book as members of organized crime, would be prohibited from attending. (Indeed, as Chesnoff told me, "Oscar and I, between us, have represented practically every person who's in the Black Book.") So Goodman threw the party in a lodge at the top of Mt. Charleston, and F.B.I. agents, parked at the bottom of the hill, took down each car's license-plate number. Some of those invited were discomfited by the presence of such fellow-guests as Tony Spilotro. "When Spilotro came in, I left," Brian Greenspun, the editor of the *Las Vegas Sun*, told me.

Goodman had many clients who were accused of unspeakable acts, but no client was considered more vicious

by law-enforcement officials than Spilotro. A Chicago native who had become adept, early in his career, at collecting money due on high-interest Mob loans, Spilotro established himself in Las Vegas in the early seventies and eventually became Chicago's head of operations there. A man with flat eyes in a doughy face, who generally dressed in black, Spilotro had a reputation as an extraordinarily prolific executioner; the F.B.I. ultimately asserted that he had committed at least twenty-two murders, including one in which he placed the victim's head in a vise and popped his eyeballs out before slitting his throat. (That act was memorialized in the movie "Casino," about Spilotro and another Goodman client, Frank Rosenthal, known as Lefty. Goodman played himself in the movie.) In 1981, Spilotro faced an indictment for racketeering. According to Frank Cullota, a boyhood friend who became Spilotro's chief lieutenant and, eventually, a government informant, Spilotro once planned to kill an informant and an entire grand jury by poisoning their catered food. Spilotro was facing two indictments—one for racketeering and burglary, one for murder—when, it is widely believed, a contract was put out on him by the Chicago Mob, in April of 1986. Two months later, he and his brother were found

buried in an Indiana cornfield.

Spilotro had been a fixture of Goodman's practice and, in many ways, its star. For fourteen years, as Goodman has stated on numerous occasions, it was he who represented Spilotro in case after case, and did it so successfully that in all that time Spilotro spent only one week in jail. (On that occasion, Goodman happened to be in another state when Spilotro was arrested, and Spilotro chose to stay in jail rather than ask another lawyer to get him out.) Chesnoff, Goodman's longtime partner, who has also specialized in representing the Mob, told me, "Tony didn't do *anything* without consulting Oscar." He paused, considered, and then added, "I mean, in regard to his legal situation." Their relationship was obviously close; to some it seemed symbiotic. A former Organized

Crime Strike Force attorney who developed cases against Spilotro once told me, "I think Oscar used Spilotro as much as Spilotro used him. Spilotro was like a national advertisement for him: 'If I can keep *him* out of jail...'"

Goodman has described Spilotro as "kind and sweet and gentle as a human being can be," and his law-firm associates, too, tend to speak warmly about how Spilotro was always "polite" and "respectful," and to demonize the F.B.I. for its long attempt to see him incarcerated. (One colleague of Goodman's even told me he believed that F.B.I. agents, who trailed Spilotro constantly, must have been within view of that Indiana cornfield and watched as the Spilotro brothers were beaten to death and buried.) But another longtime client of Goodman's, Dean Shendal, an emotionally volatile man, with no mean reputation himself in the old Las Vegas—he was once a fighter, later a rodeo cowboy, and, in the sixties, part owner of Caesar's Palace—declared, "Spilotro was scum." What did he think, then, about Goodman's having built his reputation, in considerable part, on keeping Spilotro free for fourteen years? "I think Oscar feels guilty about that," Shendal asserted, in a deep, gravelly voice. "In fact, I think that's part of why he wanted to run for office."

Shendal is so fond of Goodman that tears well up in his eyes as he describes his virtues (Goodman adopted four children, and has represented some clients for free), but the thing that probably solidified their friendship at the start was Goodman's attitude toward informants. Shendal went to jail for a couple of months in 1971 rather than testify about the interests of Meyer Lansky, Joseph (Doc) Stacher, and others in the Sands hotel. "‘Snitch’ is the magic word for Oscar," Shendal told me. "Oscar will not represent anyone who is a snitch, like that guy Sammy (the Bull) Gravano"—a mobster who won his freedom by testifying against John Gotti. "He murdered nineteen people, and he's walking around!" Shendal said heatedly. "Believe me, he will not breathe for long. If I saw him, I'd kill him myself!"

Shendal acknowledged, though, that this shared credo was increasingly anachronistic. "Today, it's very different—they queue up to tell on one another," he said. How uphold *omertà* if none of your clients want to anymore? Moreover, most of the really big, high-profile mobsters are either dead or in jail. Goodman's last big Mob case went to trial in 1996. And although Americans have long been infatuated with the Mafia, there is not much romance in pornographers and drug dealers, both of whom are to be found among Goodman and Chesnoff's clients. According to one associate, Goodman said a couple of years ago that he was tired of it all.

ON March 4th, the day before the filing deadline for mayoral candidates, Goodman, who had been considering running since early December, was still undecided. His wife was in favor of it, but all his children were opposed. "They were afraid of what people would say about me, but I knew I'd been Caesar's wife," Goodman told me. "I thought a lot about what Tony Spilotro used to say: 'The only way they're gonna get me is the frame.'" Now Goodman and Chesnoff were still weighing his prospects, seated in Goodman's office—a setting worthy of "The Godfather," with a green marble floor, a low-hanging crystal chandelier over a huge semicircular desk, a big green velvet desk chair, the walls showing photographs of Goodman with famous

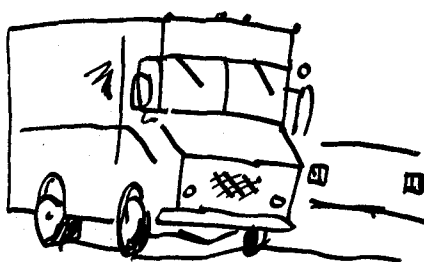
friends such as Robert De Niro and Tommy Lasorda, and with clients, many of them holding champagne bottles at victory celebrations (among them Philip Leonetti, Nicodemo Scarfo, Natale Richichi, Frank Rosenthal, Joey Cusumano, Allen Glick, and Tony Spilotro), along with a drawing of Goodman bearing the notation "Se Habla Sicilian." A poll done by a friend of his had shown his negatives to be so high that Goodman was convinced he couldn't win. But Chesnoff was still arguing that the poll had demonstrated a way for Goodman to overcome those negatives—"because," Chesnoff told me he'd said, "if you put it in the context of defending the Constitution, not criminals, then people would respond to that."

As they were debating, Chesnoff continued, a call came in for Goodman from "a very prominent guy in town, a guy with money, who knows what the story is, and I said, 'Oscar, ask him if he'd support you, and if he says yes it'll be an omen.'" The man did say yes, and that afternoon Goodman announced that he was running. Chesnoff instantly began making calls to raise money. In the next three months, he and Goodman raised \$1.4 million. When I asked Goodman who the propitious caller was, he said he didn't want to identify him because "he owns a topless club."

Goodman insists that he believed from that moment that he would win—even though the clear front-runner was Jay Bingham, a well-regarded former county commissioner, who had been campaigning for months, had already raised four hundred thousand dollars, and had been given the support of the power blocs that mattered most: the casinos on the Strip (which technically lies outside the city's municipal boundaries), the developers, the Chamber of Commerce, and the Mormon community. Three days after Goodman filed, however, Bingham withdrew, citing heart problems. "I filed, and he dropped out—he said his doctor said it would

be 'too stressful,'" Goodman said, with heavy sarcasm. Was he saying that Bingham had withdrawn rather than face him? "No, I'm not going to say that," Goodman parried. To this day, speculation persists about whether there were other reasons for Bingham's withdrawal. Some suggest that Goodman might have had damning information about him, related to his tenure as county commissioner. One friend of Goodman's expressed another view. "Jay Bingham had been promised a cakewalk—that there would be no real campaign and that it would be handed to him," this person told me. "And I think he was scared. I think he believed the myth—that Oscar's Mob soldiers would come after his family."

In the early weeks of the campaign, a city councilman, Arnie Adamsen, picked up much of Bingham's support, and his own closest competitor was a developer, Mark Fine. But Adamsen was a bland candidate who relied on his knowledge of municipal issues and referred to himself as "Mr. Crossing Guard," and Fine bore the burden of his vocation. (Although polls indicated that "defending the Constitution" was an effective counter to "Mob lawyer," Ferrence, Goodman's campaign manager, said, there *was* no counter to "developer.") In any case, Goodman told me that in this contest, as in all his years as a trial lawyer, "I was competing against myself, a hundred per cent." Here that was especially true, though perhaps not in the way Goodman meant. Not only was he absorbed in the exercise of winning by setting his own standard of excellence but he had to compete against the person he had been. Erasing that image of the "Mob mouthpiece," as the *Las Vegas Review-Journal* had put it—the angry, often menacing persona that Goodman had cultivated for so long—was crucial to his campaign. Mark Fierro, the media consultant who was to create Goodman's TV spots, recalled having watched Goodman's first debate and come to realize how much "media training" this candidate needed. On the softball questions, Goodman was articulate, appealing, even inspiring, but then came a hostile question from one of his opponents' supporters, and Goodman snarled, "Get back to that microphone! I want to talk to you!" Fierro said,



"And that was what the eleven-o'clock news showed. But he learned fast. I reminded him of what Jack Kennedy supposedly said when facing the camera: 'I think of all my nieces and nephews sitting on the other side of the camera, in their pajamas.' I said, 'Oscar, it has to be *Uncle Oscar*.'"

Almost immediately, local TV was dominated by Goodman ads. In one ad, the words "Oscar Goodman's top five accomplishments" appeared on the screen, followed by shots of each of his four children as toddlers and then as young adults, with their graduate degrees itemized. The fifth was an image of



Oscar and Carolyn, with the caption "We never missed a soccer game." Saccharine, perhaps, if it were not intended as an antidote to other, lingering images of Goodman, such as his appearance on the Geraldo Rivera show, when he held up a rubber rat and then, twisting its neck, said, "We bite their heads off!" Another ad explicitly tackled the issue of Goodman's mobster affiliation. It featured representatives of law enforcement—a former Organized Crime Strike Force attorney, a former F.B.I. agent, and a former United States Attorney—all saying, in essence, that Goodman was aggressive but had never crossed the line, and would make a fine public servant.

Referring to these rather surprising testimonials from the institutions he had attacked for decades, Goodman told me enthusiastically, "The F.B.I., police—everyone—came forward, unsolicited!" Well, not exactly. Of the three, the endorsement by the former strike-force attorney, Richard P. Crane, Jr., was the most curious. Goodman had fought the strike force furiously throughout the seventies and the early eighties in Las Vegas; Crane had been an attorney on the force from 1970 to 1976 and had then gone into private practice in Los Angeles. "Calling Dick Crane was an idea I came up with," Chesnoff told me. "He's very connected to gaming people in town. He owns part of the Barbary Coast hotel and casino."

Crane's casino interest suggests that his world view—or, certainly, his milieu—has changed since the days when

he was prosecuting many of those associated with casinos, which had meant battling Goodman. Crane, along with several partners, built the Barbary Coast in 1979, and now has an interest in its parent company, Coast Resorts, Inc. One of his partners in the hotel was Michael Gaughan, whose family initially had a stake in it; Michael's father, Jackie Gaughan, was once publicly called an informant by Goodman.

Today, however, everyone in this small, highly incestuous world appears to have come to terms—Coast Resorts and an affiliate even made a campaign contribution of fifteen thousand dollars to Goodman, and Crane, after all, vouched for Goodman's integrity in a TV ad. Everyone except, oddly, Goodman himself. He was plainly glad to get Crane's endorsement, but when I told him that Crane had characterized him as someone whose temper and threats were a kind of shtick—something they had even laughed about together—Goodman's eyes narrowed. He said that Crane certainly had not responded that way at the time—indeed, he said, Crane had tried to have him indicted for threatening a federal officer. (Goodman believed—erroneously, it turns out—that it was Crane's family that manufactured the urinals found in many men's rooms: "Whenever I saw the name 'Crane,'" Goodman told me, "I would try to aim for it.")

The support for Goodman expressed by the law-enforcement representatives in his commercials was far from universal. Stanley Hunterton, a criminal-defense attorney and civil litigator in Las Vegas who had been special attorney on the strike force from 1978 to 1985, and had spent years on cases against Tony Spilotro, recalled, "A lot of the F.B.I. agents I worked with thought Oscar was consigliere—socializing with his clients, meeting them in their homes. Oscar did all those things. I didn't care. It was not a crime. But they called me during the campaign, so upset they could hardly form a sentence. They'd say, 'Fuck! Fuck! How can it be?' And I would say, 'It is. Get over it.'" Hunterton added that he'd borne no personal animus against Goodman; he'd become a trustee with Oscar and Carolyn of the area's elite private

school, the Meadows (which Carolyn founded, and fashioned in part on Brearley, her alma mater). He also told me that on several occasions he had "extended an olive branch" to Oscar, but that Oscar "never would take it. He'd be kind of surly. He really *does* hate the government."

HAVING done all they could to inoculate Goodman against attacks on his relationship with his Mob clients, Goodman's campaign strategists continued to brace themselves for the worst. Britain's Channel 4 and Non Fiction Films had made a ninety-minute documentary about Goodman and his clients, entitled "Mob Law," which was broadcast last year. Goodman, who had the opportunity in the film's extensive interviews to present himself fully, appears self-righteous, seething with hatred for law enforcement, alternately fatuous (when he is playing the provocateur) and threatening. In one scene, he has an unrehearsed confrontation with a former F.B.I. undercover agent who tried to set him up in an obstruction-of-justice case. The former agent gets the better of him in their shouting match, saying that Goodman turned the world upside down to suit his ends, making evil good and good evil. Goodman starts to leave and then, turning—with a look and a tone that bespeak the company he has kept for nearly thirty-five years—says, "Drive safely." In another scene, he pulls bundle after bundle of cash from clients out of his desk drawer, thrusting them toward the camera and saying, challengingly, "Nothing wrong with that! Or that! Or that!"

"I literally had dreams—nightmares, really, several times—of him with those piles of cash, in 'Mob Law,'" Ferrence said. "There was so much! . . . In a pinpointed attack, you could have taken him out in a week."

Goodman was such an easy political target that his opponents, underestimating him, ignored him. Adamsen finally did start attacking Goodman; he went after him particularly hard on Megan's Law, which Goodman had once publicly opposed—coming out with an inflammatory TV ad, and also a mail piece, about ten days before the May 4th primary. Adamsen limped into the general election, set for early June, but by

that time it was too late. Now all the money was flowing to Goodman, and Adamson's defeat seemed preordained; he mounted no more attacks.

Meanwhile, Goodman was having the time of his life. Campaigning called on him to perform an exercise that was no different from what he had always done, almost reflexively, in everyday life. "He has an incredible talent for controlling events, not just in a courtroom but in any forum he's in," Chesnoff commented. "He's on a lot, but it's not like some people, who are on for the sake of being on—with him, it's to win. He's very success-oriented—in a hundred ways, from morning to night." Now each person Goodman encountered really did represent an opportunity to win, and to win something tangible. Galvanized, Goodman worked sixteen-hour days—harder, several seasoned consultants said, than they had ever seen a candidate work. He walked nine precincts, getting out there even when he was suffering from gout. Ferrence estimated that he may have met as many as a quarter million people. Dreading the slightest illness, and phobic about germs, he was someone who had always tried not to have to shake hands. ("Ugh! To touch someone's skin!" Goodman said, grimacing, when I asked him about this recently.) But now he sought out every hand in sight. "I am a great believer in vitamin C," he told me. "I kissed ninety-three babies and never got sick! Two thousand milligrams a day," he added prescriptively.

In the beginning, Goodman didn't know many of the issues, and Adamson, after his years on the City Council, tried to take advantage of that. But Goodman is a speed-reader and a quick study; he took home reams of material, and was soon, one adviser said, "a policy wonk." He vowed from the start that he was going to wage a positive campaign. If that was principled, it was also pragmatic. As Adamson and Fine went after each other, Goodman took the high road, and his polling showed that the only effective counter to attacks on his vulnerabilities—the Mob, Megan's Law, and so forth—was to stay positive.

Goodman struck populist chords, presenting himself as an outsider, even though he is a multimillionaire and a

member of Las Vegas's social élite. "I've always represented the underdog—I think you want Oscar Goodman negotiating for you!" he said in his speeches. He promised voters in the Asian, African-American, and Hispanic communities of Las Vegas, whom he courted assiduously, that once he was mayor he would surround himself with a "rainbow coalition." He wanted to bring redevelopment funds to Las Vegas's desperate West Side (an African-American community, which tourists never see). He wanted developers to have to pay impact fees for every new home built—why should they continue to have a free ride? He preached a kind of communal self-acceptance: Las Vegans should not feel embarrassed about their Mob heritage but should embrace it, since it fascinates the world. ("When they lift a rock here, they don't want to see Mickey Mouse—they want to see Bugsy Siegel!" he said.) He was unabashed about his love for Las Vegas, and he is not surprised that the city is now attracting about forty-five hundred new residents a month. (He once told me, without irony, "Move to Las Vegas and you never have to leave! You want New York, we have New York. You want Venice, we have Venice. You want Paris, in September we'll have Paris." He was referring to Las Vegas's best-known city-theme hotels.) Much of what Goodman said that he wanted to do was, of course, typical campaign rhetoric: attract new businesses, improve

education, revitalize the downtown (creating an artistic corridor of bookstores, coffee shops, music clubs), bring a major-league team to Las Vegas. But he presented it all with much more verve than his opponents did. He was a celebrity, it turned out, and Adamson and Fine were just candidates. When he went to Costco on the weekends, or to a baseball game at Cashman Field, he was surrounded by people who wanted to shake his hand and get his autograph.

Goodman had his share of enemies, too, of course—people who, in the words of one associate, want to "whitebread" the city. They included Sherman Frederick, the publisher of the *Review-Journal*, who said that Goodman's election would be his "worst nightmare"; residential developers like Mark Brown, then senior vice-president of the Howard Hughes Corporation, who said that Goodman's election "would set Las Vegas back a hundred years"; and a number of casino heads, like Terry Lanni, the C.E.O. and chairman of M-G-M Grand, who thinks Goodman is too emblematic of the "old" Las Vegas. (Lanni, a tightly wound person with a formal manner, is one of the most fervent apostles of the "new" Las Vegas. Describing a recently opened adjunct to the M-G-M Grand, called the Mansion, which was built in the style of a Tuscan villa at a cost of roughly six million dollars per unit, he said, "We tried to cre-



ate an understated elegance—and a sense that you are not in Las Vegas.”)

UNLIKE most of the Strip's leading players, who kept their distance from Goodman until after the primary, Steve Wynn appears to have edged closer and closer to him as Goodman gathered strength. Wynn had a unique ability to gauge that strength, inasmuch as he has his own sophisticated political apparatus. He began assembling it in 1991, upon realizing that he had no way of knowing whether the huge sums of money he was pouring into political races were being spent effectively. He set up his own computerized polling operation, with databases, phone banks, and constant outreach to the community, in particular the senior community, which is Las Vegas's largest and most active voting group. The data he collects can be shared with his favored candidates. Polls are carried out on whatever interests Wynn—gambling initiatives in states where he wants to build casinos, for example, and every other kind of political race. Wynn also conducts “voter registration” drives for some twenty-five thousand employees of his, and he issues a voter's guide, with his candidates starred.

Wynn is said to have been polling the mayor's race from the start and, as he watched Goodman gaining, to have extended an endorsement through informal channels: one Las Vegas resident told me that in the week or two before the primary “the word went down in the Wynn properties that Steve *really* liked Oscar.” The day after the primary, this somewhat discreet liaison went public. Goodman told me that Punam Mather, who runs the Mirage polling operation,

called him and said, “The Mirage and all of its power are backing you.” Wynn then announced that he, too, was for Goodman. “When Steve came out publicly, it was a big deal, as it always is,” Brian Greenspun said. “A lot of the gaming people, although they don't like to admit it, wait for his cue.” Many casinos and other big-business interests, which had not contributed to Goodman before, now did so. (Lanni's M-G-M Grand, however, did not.)

On June 8th, Goodman won by a landslide, capturing sixty-four per cent of the vote. Two weeks later, as he prepared for his swearing-in and his first City Council meeting, and fell asleep each night over a copy of “Robert's Rules of Order,” he was still euphoric, declaring, “I'm a wonderkind! Gore is calling me, Clinton's calling me! I'm the strongest Democrat in Nevada, with the possible exception of Harry Reid!”—Nevada's senior senator. As I set out with him on a round of his appointments, he told me, “You're going to see something you've never seen before.” He had declined the city's offer of a driver—“I like to be by myself”—and was at the wheel of his Mercedes convertible, with an “OBG” license plate. Several people honked, waved, and gave him a thumbs-up. “People are happy I won!” he said. “It wasn't supposed to happen—they feel like *they* beat the system!”

In the corridor of a municipal building, a young woman approached and pumped his hand, saying, “I think you are wonderful. I'm your biggest fan!”

“Really?” Goodman responded, smiling, and peering at her intently. “Why do you say that?”

“I think you're the greatest person on this planet—in this universe!”

“Did you hear that?” Goodman asked, as we walked away. “That's how people respond to me. They *love* me.”

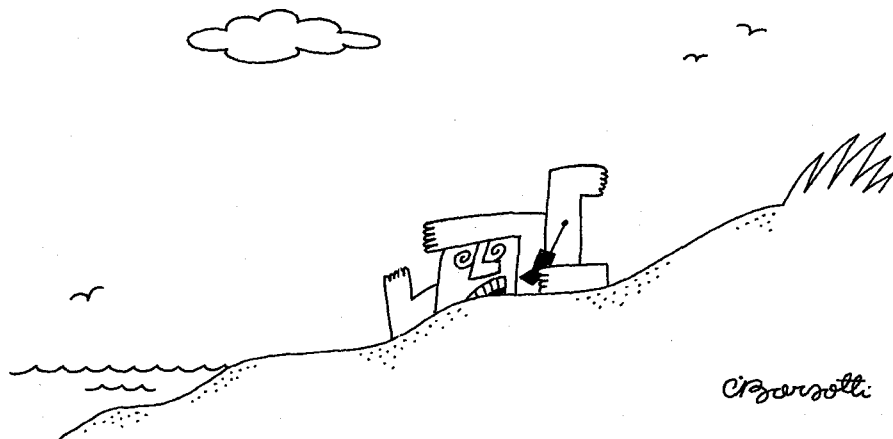
One thing darkened his mood, however, and that was a host of new, false friends. During lunch with an executive of a county commission, who praised him for having run “a brilliant campaign—just like a trial,” Goodman was warm and convivial, but as soon as the man was out of earshot he told me, glowering, “That guy is so full of it. Now these people are all saying they were for me. They weren't! That's O.K. All I care about now is being a great mayor. But I am keeping a list of those who were never for me, who spoke out against me as though I were the Antichrist. It's not a long list, but it's a list. And I don't care how long it takes, but I will get them.”

I remarked that he sounded like some of his former clients.

“Well, why let your enemies survive?”

ON July 1st, three days after taking office, Goodman appeared with Steve Wynn for a press conference at the Bellagio. Wynn had been exploring the possibility of buying a National Basketball Association or National Hockey League team—one he would like to see playing in a downtown arena, the construction of which would be financed by the public. To this end, he had commissioned a survey by the Republican pollster Frank Luntz. At the press conference, Luntz delivered broad-brush findings: an overwhelming majority of Las Vegasans want a sports arena, and a majority would support its construction even if local tax dollars were involved. Luntz declined to release the detailed results of his polling. Just how the arena would be financed was an open question, to be considered by a committee of government and business leaders—a committee that Wynn announced he would form. Goodman, who had said during the campaign that he would not support a sports facility if it involved raising taxes for Las Vegasans, seemed to find Wynn's enthusiasm contagious. “I think this could be the beginning of transforming downtown into the city of the millennium,” he declared.

Wynn and Goodman had been discussing this idea throughout the campaign, according to associates of Good-



“I need another week.”

man's. If Las Vegas were to have its own major-league team, something that would help to further legitimize this chimera in the desert as a real metropolis, there would be a great deal in it for each of them. For Goodman, it would be the most dramatic achievement he could hope for in his mayoralty; and if the N.B.A., say, were to accept Wynn as an owner, it would bring him the kind of respectability that, for all his success, and for all the homage paid him in Las Vegas, still eludes him. Moreover, siting the arena downtown would benefit both men. Presumably, it would help in the revitalization of downtown that Goodman has declared to be his highest priority. And Wynn's Golden Nugget—a thriving, if garish, property—happens to be downtown, in increasingly desolate surroundings.

The plan has elicited some negative public reaction. In mid-July, a Las Vegas weekly, *City Life*, published a critical piece with the cover line "Wynn's Pleasure Dome," in which Robert Parker, a sociology professor at the University of Nevada at Las Vegas, declared that Wynn's scheme "socializes the costs of construction and privatizes the profits." A local business official whom I interviewed about Wynn's project commented, dryly, that the committee formed to consider the project was "the Steve Wynn committee—formed not by the governor but by Steve." Other gambling powers on the Strip are opposed, this official continued, because the downtown site so favors Wynn, because two of the other casinos already have their own arenas, and because of the loss of gaming dollars. (Betting on N.B.A. teams would probably be banned if one were based in Las Vegas.) "Oscar can't afford to be only in Steve Wynn's corner," the official said. "But how do you buck Steve Wynn? I think he put Oscar in a difficult position."

The Goodman-Wynn pas de deux will be an interesting performance to watch in the coming months—one to rival the choreography in the water ballet "O" at Wynn's Bellagio. Goodman is not naïve about the uses of power: one associate of his told me that when Goodman returned from a meeting with Wynn at which they discussed the arena Goodman commented, rather uneasily, that Wynn had said he wanted Goodman "to have all the credit."



"The occasion? Oh—that would be the fifth anniversary of our never having got married because of an earlier experience of yours that had nothing to do with me."

Should the arena continue to evoke public disfavor, Goodman may be disinclined to be Wynn's spear-carrier. A person on friendly terms with both men commented to me that Goodman—who has a penchant for exacting retribution, after all—may well be nursing a quiet grudge against Wynn for withholding his support at the start of Goodman's campaign. (Recently, Goodman reiterated what he had said during the campaign about being opposed to any financing of an arena that would raise people's taxes—a statement that could not have pleased Wynn.) Moreover, if Goodman is thinking about a future elective office he has a particularly fine line to tread. He is said to have remarked to one friend that he would like to be on the Nevada Supreme Court—an even more wildly incongruous notion for the Mob mouthpiece than the mayoralty, one would think, but a position that might be especially gratifying in the light of his father's history. One of Goodman's advisers told me that he believes Goodman is considering challenging Governor Kenny Guinn in 2002. No one running for office in Nevada would want to alienate Wynn. On the other hand, Goodman knows that his strongest positive polling was as an "outsider" (he worried about hurting that image when Wynn announced for him), that his winning vehicle now is as the "peo-

ple's" mouthpiece, and that his continuing proximity to Wynn is at once a blessing and a curse.

SEVERAL weeks into Goodman's mayoralty, when we met for a final interview, he eyed me warily. "What have you been doing?" he demanded. "Talking to my enemies?" The City Hall mayor's office seemed bare and antiseptic compared with his chandeliered den. In it were several pictures of his family, a bureaucrat's furniture, a pile of the day's press clippings (for years, he has filled scrapbooks with every article in which he is mentioned), and an Air Police Support cap, which was given to him when he went up in a police helicopter during the Las Vegas floods, in early July. Goodman, who was aware that the pundits were saying he would be bored by the job's tedium and would be frustrated by his lack of power (he has only one vote on the five-member City Council), wanted me to know that that was not the case. "I love every second of this job—every second! I swear, it has added twenty years to my life," he declared.

Certainly, any public perception that Goodman is weak would be insupportable to this man. And if there is tedium Goodman is intent on banishing it. He says he is in the office by 6:30 A.M. and works a fourteen-hour day, setting an example for the rest of City Hall,

and that he has begun to shake up the bureaucracy, clearing out long-established fiefdoms. ("I've been doing in three weeks what it would take someone else a year to do," he boasted.) He even appears to enjoy City Council meetings. At one, he conducted a mini-trial to determine whether the revocation of an African-American family's restaurant license had been justifiable; the vote was 3-2 that it had not, going Goodman's way. (While this was a well-orchestrated demonstration of his siding with an African-American family against a municipal establishment, Goodman has made no meaningful move to bring into being the "rainbow coalition" that he trumpeted in his campaign; the arena study committee, which Wynn proposed and to which Goodman, its co-chair, has been making appointments, now has twenty-six members—"the best brains in Las Vegas," Goodman proclaimed—all but one of whom are white.)

Goodman says he has begun to feel that the office itself has a kind of gravity, representing something larger than his personality—a notion that had not dawned on him before. According to an associate, he was asked to go to the deathbed of a federal marshal. At first, he said he could not, but he was told that, as mayor, he really should. So, overcoming a lifelong dread of illness and hospitals, he went, and was surprised and moved by the family's gratitude. William Cassidy, who has known Goodman for twelve years, having often worked for him as a private investigator, and who is now his chief of staff at City Hall, believes that Goodman has been transformed. "He has shed his armor and exposed his heart," Cassidy told me. "I think his ability to define himself has been limited by the narrow confines of the world in which he operated. Now he can meet people, *shake their hands*, and address their misery."

Cassidy's observation had made me wonder whether the managed metamorphosis in Goodman's campaign could, to some degree, have been real, and, if so, how the new Goodman might regard—and perhaps annotate—the old. Hadn't it been just histrionics, for example, when he said that he would rather his daughter went out with Tony Spilotro than with an F.B.I. agent?

"Not even close!" Goodman shot back. "Tony Spilotro never lied to me. He always protected me. He never let me get involved in any questionable behavior. . . . It drove those F.B.I. guys nuts! They said he had committed twenty-two murders! He gave me the opportunity to become a good lawyer. I put my puss in the face of the government. I caught them in lie after lie. I got their search-and-seizure motions suppressed. When I made that statement about my daughter, I meant it. Tony was more honorable than the people who were trying to get him."

Dean Shendal was no fan of the F.B.I., I ventured, and yet he had told me that Spilotro was "scum."

Goodman, with a thin smile, replied, "Dean wouldn't say that if Tony were alive."

Couldn't Goodman's refusal to represent clients who cooperate with the government be seen as putting them at an unfair disadvantage? Don't clients often find themselves in a changed situation as a prosecution continues, and find that their best option is to cooperate?

"I would never represent a rat!" Goodman interrupted. "I object to it as a moral proposition. Did you know who can't be buried in a Jewish cemetery? People who deface their bodies, people who commit suicide, and people who inform."

People who inform? What about people who murder?

"They can be buried there. Better to murder than to be a rat." Seeing my skepticism—Jewish law is in fact more complicated than his description—Goodman picked up the phone and called a rabbi friend at Chabad, a Chassidic organization. The rabbi wasn't there, but the woman who answered the phone, hearing the identity of the caller, said excitedly, "Mr. Mayor, it's an honor!"

Goodman put down the receiver and declared, for what was surely the hundredth time, "I love this job. I love it." He glanced at me, measuring my reservations. Then he said, very deliberately, "You know who's the only person I ever heard of who said 'I love it' as much as I love this job?" He paused, delighting in what was coming, and smiled. "Nicodemo Scarfo, when he was pouring .22s into someone's head. This guy testified that as Scarfo did it he said, 'I love it! I love it!'" ♦

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HOW TO ACT LOCAL

BY HENRY ALFORD

GETTING STARTED: Lower your expectations regarding bagels. Learn to rely on the more traditional pasta shapes. Let go of the word *boite*. Then take action: contact a real-estate agent. Refrain from telling this person, in an effort to speed up the process of finding an attractive furnished August rental, that you are interested in looking only at houses owned by male couples. Do not put yourself in a situation in which you have to explain to the realtor that *ongepotchket* is Yiddish for "fussy." Maintain calm when the realtor talks "units."

Once you've found your rental, smile inwardly at the realization that you will soon attain the perfect symbol of your incipient metaphysical and sociological flowering: furniture in the bathroom. Revel in the knowledge that, while walking on your new block, you will never have to dodge a surly twenty-four-year-old production assistant wielding a megaphone.

ACCLIMATING: In this cabdriver-reduced setting, seek out new sources of political commentary. Understand that making reservations at three or four restaurants for the same time on the same night will, in this smaller environment, catch up with you. Expect to find antiques and heirlooms in their native setting; you will begin to see that a heavily rusted nineteenth-century farm implement is not entirely without worth, even though it has not been appraised, suspended from a ceiling, and heavily backlit.

NEW FRIENDS: Be aware that the friendly, bow-tie-wearing elderly gentleman who runs the hardware store is not schmoozing you for your media contacts. Understand that the introduction "This is my personal assistant, Eduardo" will meet with less indulgence than it has

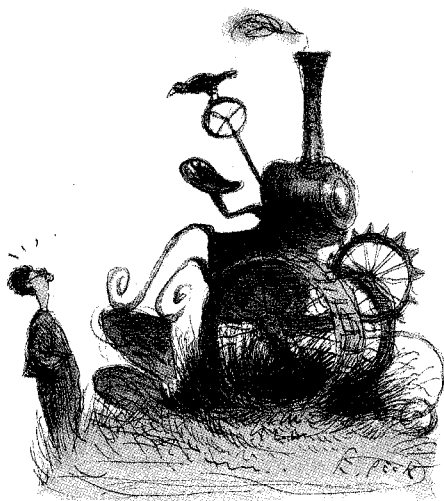
heretofore. Expect to encounter blank stares when you humorously try to draw a causal link between yarmulke-wearing and male-pattern baldness.

A VISIT TO A FARM: Try not to compliment any of the fresh-picked vegetables by describing them as "camera-ready." Do not refer to the pigpen as "the little prosciutto area." Curb your impulse to suggest that, pictorially speaking, the stable would work better if the farmer were to "lose the goat shed."

YOUR FUTURE: Tell your city friends that you find the epic proportions and the staggering array of merchandise at Home Depot "humbling." Say

that you find fresh corn "humbling." Say that you find the guy who runs the fish market "humbling." Threaten to engage in viticulture. Cultivate disdain for "summer people." Over dinner with visiting city friends, proclaim that, starting tomorrow, you are going to live here full-time. You'll get a job teaching at the local school and build a life dedicated to drinking really good wine and having conversations only about things that are truly important: no more discussions about real estate, or Demi Moore's salary, or how the media portray the media, or how the words restaurant critics use to describe gnocchi—"pillowy," "satiny," "doughy"—always sound like nicknames for rap stars.

THE NEXT DAY: Wake up to the sound of your cell phone ringing with a call from your office. Try not to let your boss's assertion of your indispensability flatter you. Attempt to muster an air of conviction when you say, "No, fine, I wasn't really doing anything anyway." Consult the train schedule. Say that you should have no problem getting in for the ten-thirty meeting. ♦



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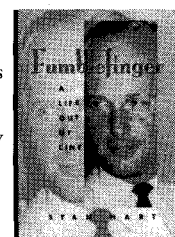
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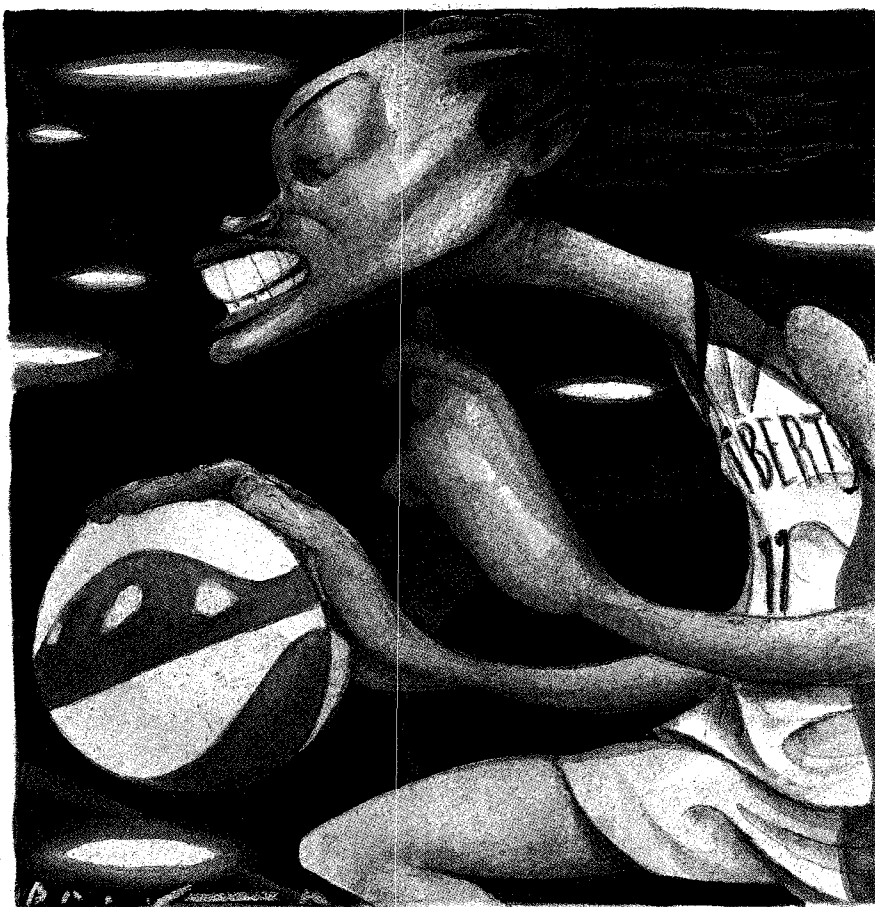
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THE SPORTING SCENE

SHE GOT GAME

Women's basketball is getting intense.

BY JEAN STROUSE

TERESA WEATHERSPOON, the point guard for the New York Liberty women's basketball team, crouches low in front of opponents on defense and slaps both hands against the floor in a kind of alpha-female challenge. She leaps above tangles of bodies to corral rebounds, then lights out ahead of the pack and drives the ball all the way downcourt. When she scores at Madison Square Garden, the announcer cries, "Tereeeeesa Weatherspooooon," and the home crowd whistles and cheers. Heading back up court, Weatherspoon shimmies her shoulders and pumps a fist in the air. She makes deft steals, gets the ball to her teammates with crisp feeds,

behind-the-back passes, and high arcing lobbs, and she urges the crowd into action by sweeping her arms up in a repeating V and yelling "Come on!" When a teammate makes a great play, she's the one who dispenses bear hugs, knocked fists, butt pats, and high fives. "If she can't get you pepped up," Kym Hampton, another Liberty player, says, "you're probably dead."

Weatherspoon (who is known as Spoon or T-Spoon) is the leader and emotional center of a team that has existed for only three years but that already draws, on average, thirteen thousand fans to each of its games. At least two million more watch the Liberty—which is part of the Women's National

Basketball Association—on NBC, Lifetime, ESPN, and MSG. Weatherspoon is arguably the best professional point guard in New York, surpassing the Knicks' Charlie Ward and Chris Childs in her ability to see the whole court, sense the developing flow and angles of the game, organize her team's defense, direct its offense, and find the open . . . woman. She was the W.N.B.A. Defensive Player of the Year for 1997 and 1998, and led the league in steals. And even though playing defense isn't as glamorous as racking up points, she gets standing ovations when she lopes out with the Liberty's starting lineup at home games. Her No. 11 jersey is among the top best-sellers (for men and women players) at the N.B.A. store on Fifth Avenue.

Like most point guards, Weatherspoon is relatively small. She is five feet eight inches tall and weighs a hundred and sixty-one pounds; six of her teammates are over six feet tall, and two of them weigh more than two hundred pounds. She has a handsome, angular face, muscular arms, a pigeon-toed gait, and a big, winning smile that brings Magic Johnson to mind. She wears eleven corn-row braids, in memory of an uncle who died when she was eleven. Tattooed on her left leg are the Liberty's blue-green-and-orange insignia flame, about ten inches high, and the name Anthony, for her nineteen-year-old nephew, who was killed in a car crash this spring. She also has a tiger tattooed on her back. Her intensely physical game and flashy style evoke Magic, Bob Cousy, and Earl Monroe—brilliant players who used their ballhandling skills not to show off but to deceive the opposition and expand the possibilities of the game. Like Magic and Cousy, she is a master of the "no-look" pass that freezes the defender and leads to an easy layup. And, like Monroe, she spins with the ball in quick parabolas to the basket.

THE Women's National Basketball Association is owned by the N.B.A. and plays in the men's arenas during the summer, after the N.B.A. season ends. Most of the players, like

STEVE BRODNER

Teresa Weatherspoon belongs to the first generation of American girls who grew up playing sports on a par with the boys.

most N.B.A. players, are African-American. And, thanks to Title IX, the federal law passed in 1972 that prohibits gender discrimination in school programs that receive federal money, most of these women, like their male counterparts, grew up playing basketball. Along with the largely white, suburban, ponytailed soccer players on the U.S. Women's World Cup Team, the players in the W.N.B.A. belong to the first generation of girls who learned competitive team sports early enough to develop the skills and attitudes required for professional-level games—a huge social change. In 1971, one in twenty-seven girls played high-school sports. By 1998, the ratio was one in three. There are now 2.2 million female high-school athletes, and half of all girls between the ages of twelve and sixteen play basketball.

At W.N.B.A. games, you don't have to be an athlete or a parent to recognize the celebratory exuberance in the sound of ten thousand mostly female voices yelling "De-fense!" The audiences are roughly seventy per cent women: young, old, black, white, straight, and gay. Jeff Van Gundy, the coach of the Knicks, who brings his three-and-a-half-year-old daughter to Liberty games, says, "It's great that she doesn't have to think it unusual for women to play. I want her to have the knowledge that she can do anything." Also drawing crowds to W.N.B.A. arenas are ticket prices that families can afford (from eight dollars to fifty-five dollars). Kids of both sexes make up about twenty per cent of the audience. The Knicks crowd is far more heavily male, white, and, in seats close to the court, Wall Street.

John Wooden, who coached the U.C.L.A. men's team for twenty-seven years and won ten National Collegiate Athletic Association championships, said a couple of years ago that the best pure basketball in the country was being played by women's collegiate teams because the women relied on fundamentals—playing below the rim with grace and finesse—while the men had grown both sloppy and showboaty, with too much travelling and wrestling under the basket, and too much emphasis on the highlight-reel dunk. Van Gundy says that "the men's game is all

about getting the best players the ball and letting them go one on one. The women aren't as talented there, but they have a greater commitment to team play, which is terrific." Earl Monroe, whose ballhandling pyrotechnics boosted the Baltimore Bullets and the Knicks a generation ago, thinks that the women now "personify the way the game should be played."

Some admirers of the "pure basketball" approach, including Wooden, worry that the women pros are already getting "too physical." But Monroe and Oscar Robertson, the N.B.A.'s highest-scoring guard (before the reign of Michael Jordan), think that the rough level of combat is a good thing. It's "great" that the women are pushing the limits of what they can do, Robertson says, "going as high and as hard and as fast as they can." The aggressive physicality of the women's game was on display one hot Sunday afternoon a few weeks ago when the Liberty took on the Utah Starzz at Madison Square Garden. Utah has the tallest and the shortest players in the W.N.B.A.—its center, Margo Dydek, is seven-two, and Debbie Black, a point guard, is five-two. As soon as the game got under way, Black attached herself to Weatherspoon like a gnat, practically climbing her torso, grimacing, waving her hands in Weatherspoon's face, and talking serious trash. Black is known as one of the toughest players in the league, but Weatherspoon held her off with one arm as she dribbled the ball with the other. After taking an inbounds pass, Weatherspoon slammed into Black—not a foul, since Black had not established position. About a minute later, the same thing happened again, only this time Black hit the floor. Again, no foul. Black soon went to the bench with a bloody lip. The Starzz were leading, 10-5, when the Liberty ran off nineteen straight points, with Weatherspoon directing the play on defense and on the fast break. By halftime, the Liberty led, 43-33.

In the second half, Utah narrowed the New York lead. With less than seven minutes to play and the score 68-60, Weatherspoon lost control of the ball on a dribble. As she went to retrieve it, she slipped and started to



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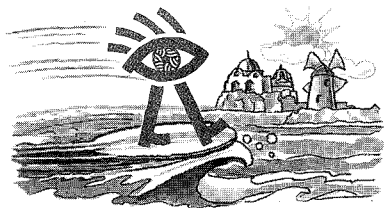
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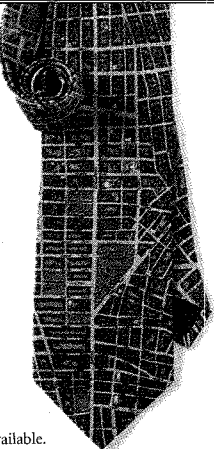
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fall. Debbie Black tried for the ball as well, but Weatherspoon got it and curled her body around it. Black, who was behind her, threw one arm across Weatherspoon's back and the other around her neck, and when the referees whistled to signal a reach-in foul against Black, she didn't let go. Weatherspoon was stretched out face up on top of Black, who hung on to her choke hold. Suddenly, eight more players arrived, and the Liberty's backup center, Venus Lacy (six-four, two hundred and thirty-four pounds), leaned over to help. Black let go of Weatherspoon's neck to take a swing at Lacy, who retaliated by slapping Black. The crowd started chanting "THROW HER OUT! THROW HER OUT!" but it was Lacy, not Black, who was called for a flagrant foul and ejected from the game.

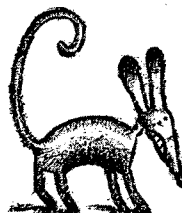
When play resumed, Weatherspoon came out looking like Latrell Sprewell after a slam dunk—ferocious. With 1:19 remaining and the score 72-71, she drove to the basket and was fouled by Black. As her first free throw dropped through the basket, the crowd went wild. Her second shot went in as well, but the Liberty failed to hold on to the lead, and the clock ran out with the score tied, at 75-75. New York's Crystal Robinson scored nine consecutive points in overtime to clinch the game for the Liberty, 88-82. Weatherspoon's stat line for the game was worthy of Magic Johnson: fifteen points, ten assists, five steals, five rebounds, and no turnovers, and she hit seven of eight from the free-throw line.

IF "getting physical" no longer differentiates women's basketball from men's, the women's relationship with their fans, at least for the moment, does. It is inconceivable that a Liberty crowd would boo a faltering player the way Knicks fans sometimes boo Patrick Ewing when he misses a shot, and it is unlikely that any of the female stars would echo the complaint made a few years ago by Charles Barkley that athletes shouldn't be role models—"parents should be." Weatherspoon's idols when she was growing up were Magic Johnson, Isiah Thomas,

Michael Jordan, and Larry Bird, and she knows how important she is to the young girls who look up to her. She says that the first time she saw a kid wearing her jersey she had to turn aside to hide her tears. Garden officials have to drag her away from autograph sessions. She speaks frequently at schools, where girls hang on her advice about sports, homework, and "being focussed and not letting anything get in front of what you want." This year, she published a book, "Basketball for Girls," that provides motivational tips and pieces of her own life story along with clear, detailed instructions about the game. She says that she wants "these kids to be part of what I do—to know that this can happen for them. When I'm playing and jumping and hollering, I want to pull everybody in. Feel what I feel. Feel the joy of this game—the joy of having some sort of passion for what you do. When I look up there and see those kids jumping and screaming, I know they're feeling it. That's a tremendous joy."

Weatherspoon was born in 1965 and grew up in Pineland, Texas (population 882), a town she describes as so small "you don't have to use the telephone. All you have to do is yell out the door." The youngest of six children, she started playing ball with her two brothers on a bumpy sandlot across the street from the family's house as soon as she could dribble. For most of her childhood, she was the only girl there: before school, after school, all

weekend. Her father, Charles, who played minor-league baseball for the Minnesota Twins organization, didn't like it. "My dad was really worried about me getting hurt," she recalls, "playing with guys who were a little more physical. Whereas my mom was more like, 'O.K., go ahead, your dad's not home, but when that four-o'clock whistle blows you got to get back in the house because your dad's coming home from work.' But my dad came in early one day, and he saw me playing football—tackle football—with the guys. I tackled one guy, and I mean I flushed him to the ground, and then I looked in the doorway and I saw my dad, and I was like, 'Oh boy, I'm



in trouble.' So I went in the house, and I said, 'Oh God, Dad, I'm sorry I was out playing with the guys,' and he said, 'Hey, you really hit the guy.' When he saw just how physical I was, he was, like, 'My baby can *play* with those guys.' After that he gave me no trouble at all."

There wasn't much money in the Weatherspoon household, so the kids rigged up a hoop by attaching a bicycle-tire rim to a tree. After a while, Weatherspoon says, the boys "started to grow faster than me. And they would jump up and dunk the basketball. I thought, Well, damn, I can't do this. But my mom always told me, 'Never tell yourself what you can't do,' so, instead of jumping and dunking the way they did, I found my own way. I would run, put my right foot on the tree, come off the tree—and boom! I could dunk it." (Nobody has dunked yet in a W.N.B.A. game, although Lisa Leslie, of the Los Angeles Sparks, who is six-five, routinely does it in practice.)

By the time Weatherspoon got to Pineland's West Sabine High School, she was a star scorer. One day during her senior year, the Louisiana Tech coach, Leon Barmore, came to watch her play. The Lady Techsters had recently won back-to-back national championships, and he liked what he saw in Pineland enough to recruit Weatherspoon. "When I got to college," she told me, "the first thing Coach Barmore said was 'If you want to play on this team, you got to guard somebody.' Up till then, I had been more of an offensive player, but I wanted to play for him, because I thought he was the best, and I said, 'Hey, I can give you defense all day long.' And that's where I stood out, on the defensive end. It all goes back to him."

In her senior year of college, 1988, Weatherspoon led Louisiana Tech to the N.C.A.A. Championship and won the women's game's highest honors—the Wade Trophy, the Broderick Cup, and an Olympic gold medal with the U.S. team. Because there was no professional women's league in the United States when she left college, she played in Russia for two years and in Italy for six. When the W.N.B.A. started up and she learned that she would be playing for the Liberty, she was ec-



*"Into every shopping cart a little mysterious
Mediterranean product must fall."*

static. "There is no other place for my personality than New York," she says. "No other place. This is home." More specifically, her "home" in Manhattan is a hotel suite filled with basketballs. "I never know what time of night I might wake up and want to shoot one in the air, just to keep myself close to the game at all times."

WHEN women first began playing basketball—in 1892, less than a year after the game was invented—they wore floor-length skirts and long sleeves. Senda Berenson, a gymnastics instructor at Smith College and the sister of the art historian Bernard Berenson, adapted the men's rules for women. Alert to the dictates of feminine decorum and fearful of "nervous fatigue," she shortened the court, outlawed steals, and allowed only three dribbles per possession. A century later, most of those restrictions have gone the way of the long skirts, but, over the years, several attempts to start women's pro leagues failed. An eight-team Women's Professional Basketball League, founded in 1978, lasted three seasons. The Liberty Basketball Association (no relation to the New York team) held just one exhibition game, in 1991. The Women's World Basketball Association fielded six teams in 1992, but didn't last a year. Individual female

players, such as Ann Meyers, Lynette Woodard, Nancy Lieberman, Carol Blazejowski, and Cheryl Miller, broke barriers—some of them playing on men's teams, others setting all-time scoring records, and others opening up the sportscasting world for women. Then, in 1996, both the American Basketball League and the W.N.B.A. were born. The A.B.L. started its first season that fall, with eight teams playing all year round; it paid high salaries (averaging eighty to ninety thousand dollars), and attracted top-flight college and veteran players, but it folded two years later.

The crucial advantage that the W.N.B.A. has over its predecessors is the backing of the N.B.A., which has deep pockets, marketing expertise, and a national television audience. By the time the W.N.B.A. began to sign players, late in 1996, male superstars had created a huge national appetite for basketball, and the N.B.A. was willing to commit substantial resources to launching a women's league. The first three women to sign with the W.N.B.A. that fall were Sheryl Swoopes, Lisa Leslie, and Rebecca Lobo, all of whom had played on the victorious 1996 U.S. Olympic team and had been national players-of-the-year in college. The first television ads for the W.N.B.A., which ran during

the men's playoffs in 1997, showed Lobo, Leslie, and Swoopes—all attractive women—striding along a city street in leather jackets. The voice-over line was the league's slogan, "We Got Next," which is what playground players say to claim a turn on court, challenging the winner of the previous game. In another ad, Lobo reeled off the names of new teams as she bounced a basketball, then twirled it on her index finger, and said, "Welcome to the ball, Cinderella." Three years and hundreds of thousands of fans later, the league's slogan is the confident "We Got Game."

There are now twelve teams in the W.N.B.A., up from eight the first year, and there will be sixteen in the year 2000: the demise of the A.B.L. has increased the numbers of strong available players, and notched up the level of competition in the W.N.B.A. The league's salaries this year average fifty-six thousand dollars, not including benefits. Weatherspoon is said to earn a hundred and fifty thousand. Minimum pay is twenty-five thousand for rookies and thirty thousand for veterans; individually negotiated maximum contracts are said to run above two hundred and fifty thousand dollars, and marquee players such as Lobo, Swoopes, Leslie, and Cynthia Cooper make substantially more through product endorsements. The league's corporate sponsors and marketing part-

ners include Champion, Buick Regal, Spalding, Kellogg's, Nike, and Sears. It is said that the W.N.B.A. spent fifteen million dollars on marketing in its first year, although how much fan support and corporate sponsorship the league will be able to keep remains to be seen.

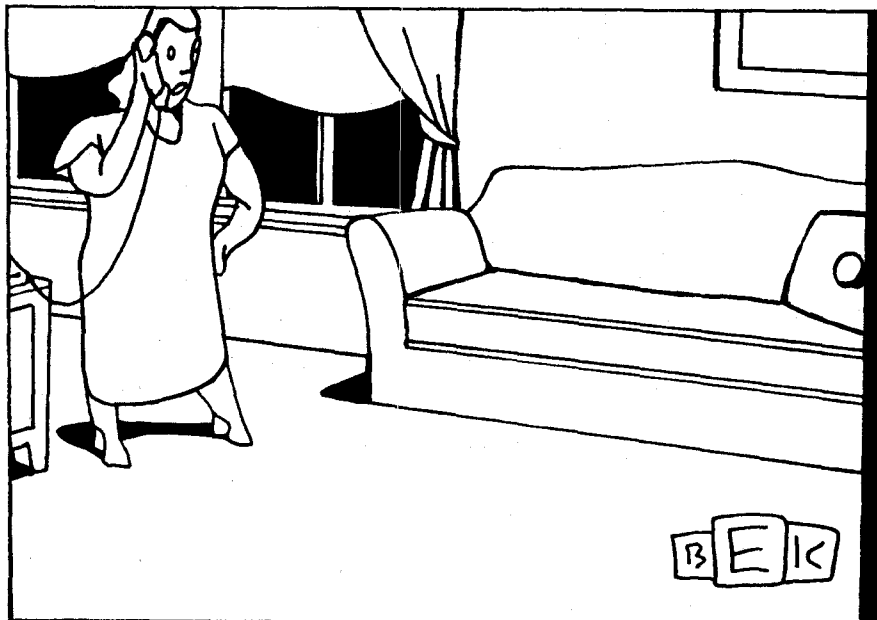
To male sports fans reared on the N.B.A., the women's game lacks clarity and brilliance—it is less vertical and less coherent than the men's, with too much messy tangling under the basket (which is why Weatherspoon's quick and purposeful game, and her vivid sense of the court, stand out). Still, the size of the crowds during the W.N.B.A.'s first year took everyone by surprise: league officials expected between four and five thousand people per game, and instead averaged 9,699. Jeff Van Gundy says that it is amazing for the W.N.B.A. to be drawing thirteen to fourteen thousand people to a game in its third year. It took the N.B.A. twenty-nine years to average ten thousand people per game.

WEATHERSPOON'S story about learning to dunk by pushing off the tree made me think of the Gatorade commercial in which the women's soccer star Mia Hamm takes on Michael Jordan in a series of sports while a female voice-over chants, "Anything you can do, I can do better." In a similar vein, Champion runs a print

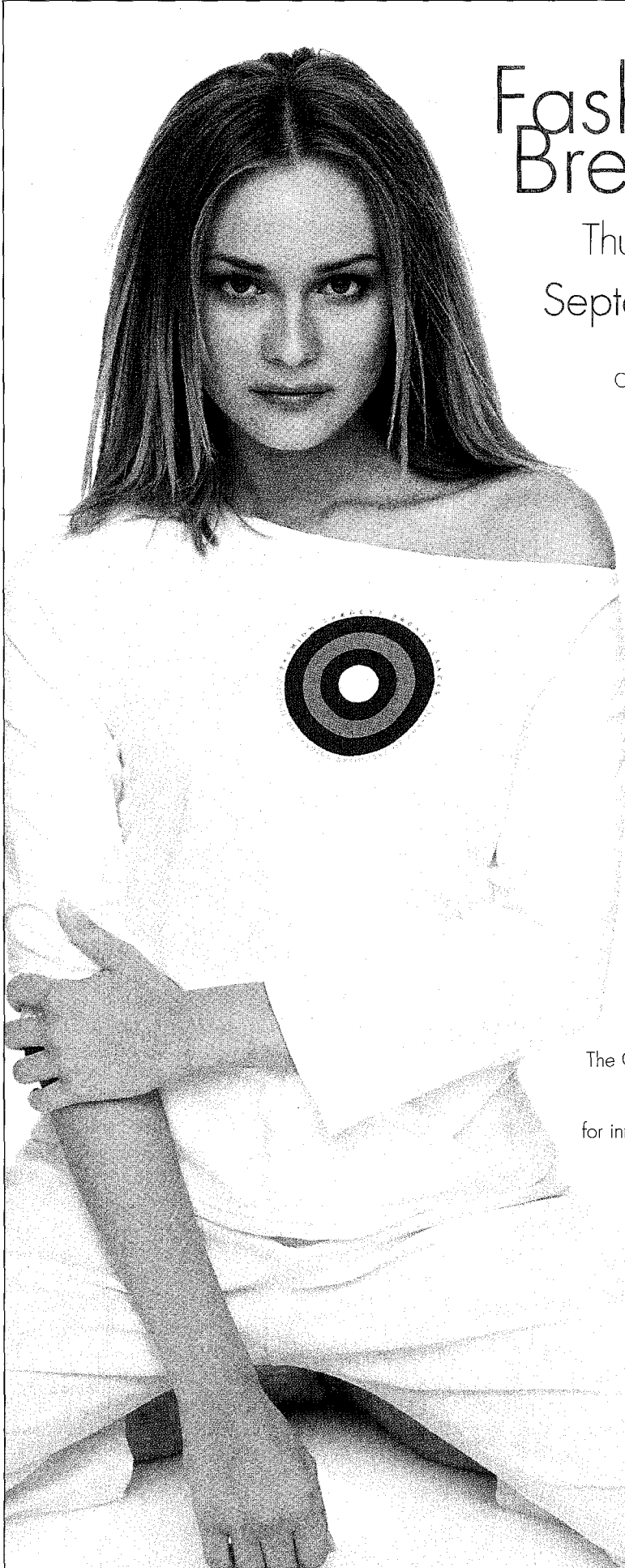
ad of a mock newspaper classified: "WANTED FEMALE ATHLETES WHO CAN MAKE THE THREE, PASS THE ROCK, KICK BUTT, AND WIN." On the other hand, there's the Nike dentist's-office commercial, in which a member of the U.S. women's soccer team has just had two fillings; one after another, four of her teammates and the dentist's secretary stand up to demand the same treatment—"I will have two fillings"—and a banner of type reads, "We will take on the world AS A TEAM." These ads aren't just selling drinks and shoes and clothes, they're selling attitude—but which attitude? Are women athletes of the nineties supposed to kick butt or share each other's achievements and pain? The answer seems to be both.

The term "Showtime," in professional basketball, refers to the entertaining but fundamentally sound game played by Magic Johnson and the Los Angeles Lakers under Pat Riley in the early nineteen-eighties, and to the Hollywood celebrities that basketball began to attract in those years. The N.B.A. had gone through a dismal period in the seventies, when the substance-abuse problems of major players caused the league to be dismissed as "blacks on drugs." Then Magic Johnson and Larry Bird came along—two great athletes who, even though they had spectacular individual skills, were galvanizing team players who brought everybody else into the game. They led the Lakers and the Celtics in a furiously competitive rivalry throughout the eighties, creating tremendous popular excitement about the game and helping set up the league's powerful marketing and promotional machine. And then there was Jordan.

Teresa Weatherspoon met Magic Johnson at an N.B.A. All-Star weekend a couple of years ago. "I saw him and I was talking to him," she says, "and I was just asking him things that I thought that I should know, being a point guard. I wanted to talk to him because he was the greatest at what he did. And I was, like, 'Come on, Showtime, tell me something.' But he said, 'No—you're Showtime.' Coming from Magic Johnson, that was the ultimate. Oh boy, it was great for me to hear. I still can't believe that. I'll never forget it." ♦



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HARD CORE

Why does Bill Gates think that the Microsoft antitrust trial has been such a disaster for him and for the company?

BY KEN AULETTA

THE more Bill Gates dwelled on his problems with the government, the more agitated he became and the more one could sense his anger in public appearances and in private conversation. The government had pursued his company, Microsoft, since 1990, beginning with what at first seemed a routine Federal Trade Commission investigation, but that pursuit escalated in 1997, when the Department of Justice began one of the largest antitrust actions in United States history. It was, Gates told me recently, as if the government were announcing, "O.K., we'll show that we can take some blood out of these boys!"

Gates had little comfort in knowing that Microsoft, which he co-founded in 1975, had bested the competition, including such giants as I.B.M.; or that its software served as the essential code controlling more than three-quarters of all personal computers; or that his company, unlike such stock-market favorites as Amazon.com, enjoyed astonishing profit margins of nearly forty cents on each revenue dollar and its stock price had made it the world's most valued corporation. Despite being the richest man on the planet—last month, his net worth was estimated at a hundred billion dollars—Gates nevertheless believed that he was a victim. The United States government had become a menace unlike any he had encountered in the business world.

Gates felt that the government was trying to dictate to him how to run his company—telling him that he had to alter contracts with computer manufacturers and Internet companies, and asserting that for Microsoft to include its own Internet browser, Internet Explorer, in its Windows software was an illegal use of monopoly power. Gates's response was: Didn't the package make computing simpler? Didn't

consumers benefit because the extra features were free? How dare anyone demand that Microsoft either untie this package or include a rival browser, like Netscape. Would the government tell Coca-Cola to include a can of Pepsi in every six-pack?

Within the company, Gates and most of his senior staff were implacable. They invoked a phrase, "hard core," to describe both their stance and their corporate culture. To be hard core was to be a believer, a gladiator who preferred combat to compromise. They might wear T-shirts and baggy shorts to work, and play soccer on the grass of their two-hundred-and-ninety-five-acre corporate campus, in Redmond, Washington, but Microsoft executives were tough. They would hold rallies in Redmond at which Steve Ballmer, now the company president, pumped up the troops by leading them in a war whoop, screaming for victory.

For a time, peace between Microsoft and the government seemed possible. In 1994, both sides signed a consent decree that placed a few curbs on the company. But in 1995 the Justice Department challenged Microsoft's proposed acquisition of Intuit, the dominant financial-software company, and in October of 1997 Justice filed a petition claiming that Microsoft had deliberately violated the consent decree. This started the legal machinery that led, in 1998, to the extraordinary antitrust suit against Microsoft.

Nevertheless, Gates's legal staff often assured him that Microsoft would overcome this obstacle. William H. Neukom, his longtime general counsel at Microsoft, told him that the law was its shield; and Gates, who is the son of an attorney, embraced the belief that the law, like science, relied upon pristine facts. Yet Gates also knew that politics could sway the law. So he fretted; and he

became apoplectic when federal judge Thomas Penfield Jackson, in December of 1997, issued an order to stop Microsoft from "bundling," or including its Internet Explorer with its Windows operating system—a decision that Microsoft immediately appealed, saying that removing the browser would cripple the operating system. "He just ordered it!" Gates told me months later, still incredulous.

BY the time Gates appeared as a speaker at the annual gathering of the World Economic Forum, in Davos, Switzerland, in late January of 1998, his public-relations handlers were surrounding him as if he were a heavyweight champion making his way to the ring. At a media lunch, I found myself seated next to Gates at a table for ten that included his wife, Melinda French Gates; several editors; and the chairman and C.E.O. of Coca-Cola, M. Douglas Ivester. Gates has never liked small talk. He turned to me and complained about a panel I'd moderated a few days before. He said I had allowed enemies of Microsoft to bully his chief technology officer, Nathan Myhrvold. (Myhrvold had more than held his own in the exchange.) Gates sat huddled over, his arms folded across his chest; his brown hair was unperturbed, unwashed, and combed straight down and into bangs, like a little boy's. He rocked gently back and forth in his chair, his eyes fixed on the floor. His manner was gruff, and he seemed unwilling (or unable) to camouflage his rage. Melinda Gates tried discreetly to get his attention, but he would not look up. Then he suddenly declared, "Neither Nathan nor anyone else from Microsoft will ever appear again on such a panel!"

When Gates was introduced, as the luncheon speaker, a moment later, he re-

ILLUSTRATIONS BY PHILIP BURKE

Bill Gates said it was as if the government were announcing, "O.K., we'll show that we can take some blood out of these boys!"



fastened his C.E.O. mask and spoke calmly for about twenty minutes, offering a compelling exegesis on the future of computing and the alarming speed of change. He responded easily to questions from reporters about Microsoft's legal woes. I asked Gates what he had to say to those who believe that Microsoft has behaved arrogantly, as if the government had no right to ask questions.

Gates plunged into a five-minute tirade, which was memorable less for what he said than for the raw hurt he betrayed. Reporters whispered, "What's bugging him?" After taking several more questions, he returned to the table and, hovering above me, bellowed, "What do you mean, 'arrogant'?" Ivester's eyes bulged, as if to say, This is not how Fortune 500 C.E.O.s behave! Melinda Gates looked stricken.

"Remember when you said neither Nathan nor anyone else from Microsoft would appear on a panel again?" I said. "That was arrogant."

"What do you expect me to do? Order Nathan to appear?" Gates asked.

"No. But if he won't appear, you appear. This is a democracy, and people have a right to ask questions."

Just as suddenly, the belligerent Gates was transformed into a vulnerable adolescent. "What should I do?" he asked plaintively. Everyone at the table fell silent.

OVER the next several months, stories about Microsoft's alleged tactics appeared in the press. It was said that several years earlier senior Microsoft executives had offered an alliance with Netscape and also an infusion of capital to the company if it would abandon most of the browser market to Microsoft, and that one Microsoft executive reportedly had threatened to cut off its "air supply" if it refused. It was said that Microsoft had forbidden Compaq Computer to drop the Internet Explorer icon that appeared on computer screens—the desktop—when the machine was turned on; otherwise, Gates & Company would refuse to sell its Windows 95 operating system to the P.C. maker. In March of 1998, Gates was summoned to testify before the Senate Judiciary Committee, and there he reluctantly admitted that Microsoft's contracts with certain Internet service or content providers precluded them from promoting Netscape. Such behavior might qualify as the "restraint

of trade" forbidden by antitrust laws.

When it began to seem likely that the government would launch an antitrust suit, a Microsoft team, led by Bill Neukom, met in April and May with the Justice Department in an attempt to head it off. Gates himself had an audience with Assistant Attorney General Joel I. Klein, who was the chief of the Antitrust Division, to explain Microsoft's position. The two met in the late afternoon of May 5th, at the Washington office of Sullivan & Cromwell, the Wall Street law firm that has done much of Microsoft's outside legal work for the past decade. Gates was "very passionate, very forceful," alternately informative and irate, a government official who was there recalls. "He began with a presentation of his plans for Windows. . . . It was reasonably civil. When

questions were raised, however, he grew angry, condescending, snide, and petulant."

Justice officials argued that Microsoft's power was impregnable because consumers were so dependent on Windows. Gates exclaimed, "You give me any seat at the table"—he mentioned Linux, an upstart operating system, and Java, a computer language created by Sun Microsystems, a Microsoft foe—"and I can blow away Microsoft!" If his competitors had half a brain, he was suggesting, Microsoft would be toast. Gates told me later that he was also trying to say something else: "Where did this 'monopoly' come from? Do I own all the diskettes in the country? . . . It's such a silly proposition to think that in an intellectual-property area you don't have massive competition. There is nothing that Microsoft has that guarantees its position."

Most of the government officials were surprised. Normally, when a target of a lawsuit asks for a meeting the target is solicitous. They saw in Gates a swagger that announced, in the words of one Justice official, "I'm the toughest kid on the block." Neukom told me that Gates was trying to seek common ground, but that he "was frustrated that the government seemed to have such a vague understanding of our technology." Government officials, Neukom recalled, kept asking why Microsoft needed certain features included in the operating system, and Gates kept warning that the government should not be in the software-design business.

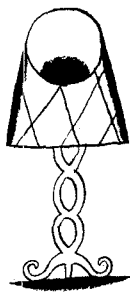
This meeting was followed by a great

many telephone calls and by ten days of negotiations, all aimed at a possible settlement. "They put on the table Thursday morning"—May 14th—"something that could have been, for the first time, significant," Klein recalled. Klein thought that he heard Microsoft signal a willingness to include a Netscape icon on every copy of the desktop. Perhaps, both Klein and Neukom hoped, the gap between them had narrowed. Gates recalled, "We said, 'O.K., we'll at least sit and listen.'"

Gates later told me that the Justice Department had been so vague, so "open-ended" in its demands, that "anybody could be part of Windows"; it was as if Microsoft were to be the mule for the entire software industry. Neukom kept recalling what had happened to Sears after 1977, when it signed a consent order stipulating that it would encourage competition by not opening stores in malls; then malls redefined shopping. By late Saturday morning, May 16th, they had reached an impasse.

THE following Monday, Klein, accompanied by Attorney General Janet Reno, announced that, on behalf of the United States government and joined by attorneys general representing twenty states and the District of Columbia, he was charging Microsoft with breaking the law in two essential ways. First, it had employed illegal tactics to crush or coerce competitors and sometimes allies, thus harming consumers—a key test of antitrust law. And, second, the government claimed that it had violated antitrust laws in an attempt to preserve its Windows monopoly and use it to dominate new markets.

Competitors applauded, although more than a few were torn between a fear of Microsoft and a distaste for government meddling. "I don't think there's much doubt as to the facts," said Eric Schmidt, the chairman and C.E.O. of Novell, a software competitor and a sometime Microsoft partner. "There is a very large question about what to do about it. I don't think anyone's in favor of a Department of Microsoft Management." Scott McNealy, the C.E.O. of Sun Microsystems, welcomed the government's lawsuit, because, he told me, he feared that, if left unchecked, Microsoft could use its dominance over operating systems to "leverage into other businesses." McNealy speaks of Gates as



an unstoppable force who will ruthlessly smash all competitors, yet then declares that new technology has "the shelf life of a banana."

Gates was heartened in June of 1998 when the federal Court of Appeals overturned Judge Jackson's December order for Microsoft to separate its browser from Windows. Jackson, the higher court ruled, had "erred procedurally" by issuing an injunction before Microsoft was allowed to challenge it, and had erred "substantively" by acting as if judges should try to "oversee product design." Instead of being harmed, the court said, consumers benefitted from a free, easy-to-use browser that was integrated. Nevertheless, Gates himself remained distraught. He did not, he told me in an E-mail exchange, "expect competitors to try and use the government to help them get an advantage over us." He went on, "You are welcome to say I was naïve about this." He was shocked that his government had sued and that it kept broadening the charges. He saw himself as demonized, a point he emphasized both publicly and privately. Friends compared him to Joseph K. in Kafka's novel "The Trial"—a man charged with vague crimes he does not comprehend. On the eve of his own trial, Gates moaned to friends, "This isn't justice!"

II—"A GREAT TRIAL"

AN antitrust trial is rarely a courtroom drama, with climactic moments when witnesses suddenly shrivel and break down. It depends on the accretion of relevant fact piled on irrelevant fact. "I don't think you generally get a smoking gun in antitrust cases," said Judge Thomas Hogan, who was appointed to the District Court in 1982. In most of the cases he has presided over, including his 1997 ruling that a merger between Staples and Office Depot would harm consumers, "you have to weigh all the facts," but it comes down to "certain key facts" from among all the competing claims. Inevitably,

the credibility of the witnesses helps a judge sort out what to believe.

The Microsoft trial, which began last October and, barring settlement, may not yield a definitive ruling for several years, is of historic import. George L. Priest, the John M. Olin Professor of Law and Economics at the Yale Law School, cited only two other trials "that have been of this calibre": the 1911 Standard Oil case, and the Socony-Vacuum Oil case, in 1940. "There have been very few where the imagination of the country is caught up in the outcome of the trial," Priest said. "This ranks with one of the great antitrust cases in the history of the Sherman Act."

The roots of antitrust law go back almost four centuries, to English common-law cases aimed at curbing monopolies. In this country, just after the Civil War, state governments began to sue companies that rigged prices and choked competition. Then, in 1888, Presidential platforms of both political parties attacked wicked corporate "trusts," and over the next several decades two pieces of national legislation were enacted that remain the cornerstones of antitrust law. The first was the Sherman Act, of 1890, whose words, such as these in

Section 1, appear deceptively simple:

Every contract, combination in the form of trust or otherwise, or conspiracy, in restraint of trade or commerce among the several States, or with foreign nations, is declared to be illegal.

Section 2 says:

Every person who shall monopolize, or attempt to monopolize, or combine or conspire with any other person or persons, to monopolize any part of the trade or commerce among the several States . . . shall be deemed guilty of a felony.

The Clayton Antitrust Act, of 1914, allows injured citizens or corporations to file lawsuits against antitrust violators, and a later amendment, the Robinson-Patman Act, bans price discrimination where the effect "may be substantially to lessen competition or tend to create a monopoly."

The complex task of proving that Microsoft and Gates violated these laws fell to the government's chief trial counsel, David Boies, a man who does not use a P.C. Except for a few years in the late seventies, when he was chief counsel to Edward Kennedy's Senate Judiciary Committee, Boies had been in private practice his entire professional life. In some thirty years at Cravath, Swaine &



"I'm sorry—the chocolate-almond biscotti are out of stock. I'd be happy to order one for you."

Moore, he has appeared in court on behalf of clients such as I.B.M., in its successful thirteen-year battle to block a government claim that it was an illegal monopoly, and the Federal Deposit Insurance Corporation, in its case against Michael Milken, winning a \$1.1-billion judgment.

Boies, whose father taught high-school history in the northern Illinois farm community of Marengo, studied law at Northwestern, then at Yale, and once earned extra money by playing in bridge tournaments, where his uncanny memory gave him an advantage. After Yale, where he ranked second in his class, he was recruited by Cravath, which he left in 1997 to establish a boutique law practice with an old friend, Jonathan Schiller.

JOEL KLEIN recruited Boies to the Justice Department in December of 1997. "He's been through the I.B.M. wars," Klein told me. "I didn't want to get stuck in some quagmire. You need someone who knows how to move a case." Boies's usual fee exceeds six hundred dollars an hour, but the government was paying less than a tenth of that. (At Cravath, Boies's annual pay package amounted to two million dollars.) Nevertheless, Boies is not terribly righteous about his public service; indeed, he concedes that he might have represented Microsoft if it had asked first. "I certainly didn't think Microsoft was an evil empire," he said. "Nor do I think so now." Boies was interested in taking the case not least because he was in the arena and might help define whether static antitrust laws should apply to fast-changing technology companies. "I had a view that the antitrust laws applied to the software industry. I did not have a

view as to whether Microsoft's conduct was or was not a violation of the antitrust laws. I did have the view that it was not entitled to a blanket pass."

One of the ironies of the case, said William Kovacic, a law professor at George Washington University Law School, who was a member of the Federal Trade Commission's Bureau of Competition during the Carter and Rea-



The complex task of proving that Microsoft and Gates violated antitrust law fell to the government's chief trial counsel, David Boies, a man who does not use a P.C.

gan Administrations, "is that the very litigation success that David Boies and his colleagues at Cravath had in the seventies and early eighties with I.B.M. now became the obstacle to their prevailing in this matter. One of the big challenges for the government brief-writers is to sidestep lots of the decisions from that period that embrace the idea that the dominant firms ought to be encouraged to compete and to compete hard."

In court, Boies had come to be feared for his mastery of detail, his timing, and his charm. In a 1992 action brought by the government of the Philippines against Westinghouse, after the plaintiff's lawyer had finished a brilliant opening statement, the judge announced that the court would

adjourn for the day. Boies, at the defense table, shot out of his seat and, insisting that he was so outraged by the falsehoods his opponent had uttered that he couldn't bear the thought of jurors' spending the night burdened by them, pleaded with the judge to allow him fifteen or twenty minutes to start his opening statement. The judge relented, and Boies reversed the momentum. "If I had let

the jury walk out of there without challenging the integrity of what they had heard, it would have been an uphill battle," he recalls.

In the thirty-three years that Boies has been practicing law, he said, he has never had a trial victory reversed on appeal. The First Amendment attorney Floyd Abrams said of Boies, "In a very soft-spoken way, he's able to lure people who testify for his opponent into utterly indefensible positions. Precisely because he doesn't scream at them, they feel more secure to state as fact matters that under cross-examination

become highly dubious. The remarkable thing is that it happens over and over again."

BOIES, who has thin brown hair and protruding ears, gives an impression of studied casualness. In court, he always wears a navy suit with pants that drape over black sneakers; a blue-and-white pin-striped button-down shirt; a square-bottomed dark-blue knit tie, which dangles above his beltless waist; and a black Timex strapped over his left cuff, so he can easily read the time. The suits, shirts, and ties are purchased in batches from Lands' End. During the trial, Boies stayed in a modest apartment that the Justice Department rented

for him. Despite his casual demeanor, his intensity is such that he routinely walks past associates without noticing them. He has become a celebrity in Washington restaurants, where he picks up thick lamb chops in his hands and chews the bones clean. Sometimes he takes a quick nap in a booth at the Capitol Grill. Playing tennis or Ping-Pong with any of his children—he has six, and has been married three times—he plays to win, as he does at craps or card tables in Las Vegas, which he visits several times each year. “When he plays craps,” Mary Boies, herself an attorney, says of her husband, “he remembers every roll, every sequence.”

Just before ten o'clock on October 19, 1998, the first day of the Microsoft trial, Boies entered the block-long, eight-story E. Barrett Prettyman United States Courthouse, in Washington, rode the elevator to the second floor, then walked past a line of reporters parked against a mauve marble wall who were vying for the forty daily press seats, past an even longer line of spectators on the opposite wall, and entered Courtroom No. 2, where Judge John J. Sirica had tried the Watergate defendants. The room has no windows, and there is no street noise.

Then the door to the Judge's private corridor opened and Deputy Marshal R. Kirkland Bowden, who has worked in this court since 1962, called out “All rise!” Judge Thomas Penfield Jackson entered and ascended his platform. Although Jackson, who is now sixty-two, was the first judge appointed by President Reagan to this district court and therefore might be assumed to oppose intrusive government, Microsoft executives have learned to be wary of him. He was the judge who

ordered Microsoft to separate Internet Explorer from Windows, and since then he had made a number of preliminary decisions that angered the company, such as allowing unwanted excerpts from Gates's twenty-hour-long videotaped pretrial deposition to be played in court. Before the trial began, Jackson had announced that it was his intention to speed it along by limiting to twelve the num-



Bill Neukom began working for Microsoft after Gates's father said, “My kid's bringing his little business up to Seattle. Would you take a shot at looking out for him?”

ber of witnesses each side could call and by stipulating that all testimony be submitted in written form, so that all cross-examinations could occur without delay.

After a flurry of procedural maneuvers and a brief opening by a representative of the states involved, Boies rose and stepped to the microphone on the podium in front of the Judge, ready to make the government's opening argument. Mary Boies looked on from the spectator section. Joel Klein, the bald top of his head bobbing, shifted in the aisle seat of the bench behind the counsel table. The Microsoft counsel, Bill Neukom, sitting at the head of the Microsoft table, stared straight ahead, his pen and pad poised. Judge Jackson, who has white hair and

gold-framed half-glasses, nodded with a welcoming smile to each table of attorneys.

For nearly three hours, glancing occasionally at a few notes he had written on a manila folder, Boies described, first in summary form and then in chronological order, how, in his view, Microsoft had violated the antitrust laws—in particular, by “restraint of trade or commerce”—and so became a predatory mono-

nopoly. Coercion, he claimed, was standard operating procedure at Bill Gates's Microsoft. Boies then gave a signal and played the first of many excerpts from Gates's videotaped deposition—an excerpt that gave a portrait of Gates at odds with the decisive, fearless straight shooter of common lore. Shown slouched in a leather chair, and compulsively sipping from a can of Diet Coke, Gates appeared on several court screens:

BOIES: Are you aware of any instances in which representatives of Microsoft have met with competitors in an attempt to allocate markets?

GATES: I am not aware of any such

thing, and I know it's very much against the way we operate. . . .

BOIES: Now, have you ever read the complaint in this case?

GATES: No. . . .

BOIES: Do you know whether in the complaint there are allegations concerning a 1995 meeting between Netscape and Microsoft representatives relating to alleged market-division discussions?

GATES: I haven't read the complaint, so I don't know for sure. But I think somebody said that that is in there.

More than a few spectators laughed at Gates's professed ignorance. Boies now paced in front of the bench, a pointer in his hand, and asked an aide to roll the second video. Gates again filled the screen, and, in response to a question from Boies about his understanding of



"I invited a few friends over who think you should see a psychiatrist."

Netscape's strategy back in mid-1995, Gates said that at the time "I had no sense of what Netscape was doing."

Using his pointer, Boies displayed on the screens various Gates documents, including a May 26, 1995, memo titled "The Internet Tidal Wave," which showed that Gates quite clearly saw the importance of Netscape. In it he wrote to his managers, "A new competitor 'born' on the Internet is Netscape. Their browser is dominant, with 70 percent usage share, allowing them to determine which network extensions will catch on." With control over how software worked on-line, Gates noted, Netscape could cheapen Windows and "commoditize the underlying operating system," by which he meant that people using any number of programs, for browsers, for word processing, for spreadsheets, for printers—for all sorts of applications—might begin to move away from Windows.

With a nod from Boies, an E-mail written by Gates five days later and sent to his senior executives appeared on the screens. It said, "I think there is a very powerful deal of some kind we can do with Netscape"—a deal that would re-

duce competition. "We could even pay them money as part of the deal, buying some piece of them or something." Then, just a few weeks before the meeting with Netscape—the meeting that Gates said he was not involved in—he wrote, "I would really like to see something like this happen!!"

A division of markets was proposed at the June 21st meeting, Boies argued, producing E-mails from both Netscape and Microsoft. "What you have here is, in and of itself, an attempt at monopolization," he went on, a "restraint of trade" effort prohibited by law. Why would Netscape feel compelled to cooperate? Because, Boies claimed, Microsoft's leverage stemmed from Windows, which controlled ninety per cent of the P.C. operating-system market (a somewhat inflated number, since it excluded the Macintosh and all other machines not running on Intel-type chips). Any computer manufacturer, or any maker of printers or software-application programs, from spreadsheets to browsers, needed to know Microsoft's Application Program Interfaces, or A.P.I.s, in order to be able to connect to Windows, Boies said. He charged

that Microsoft was predatory because it threatened to crush Netscape if it did not comply. There would be testimony, Boies promised, that one of Gates's "top lieutenants" threatened to "choke Netscape's air supply."

For three critical months, Boies said, Microsoft had withheld A.P.I.s that Netscape required to be compatible with Windows 95, the latest version of Microsoft's operating system. Unlike Netscape, which tried to sell its browser, Microsoft adopted what Boies called "a predatory pricing campaign" and gave its browser away, bundling it with Windows. "Our business model works even if all Internet software is free," Gates told a reporter in an article that Boies cited. Microsoft imposed contracts on computer manufacturers, Boies said—on A.O.L. and on software companies like Intuit—restricting their ability to do business with Netscape.

IN his narrative, Boies sometimes seemed to be speaking less about a software company than about the Mob. He told the court how Gates had alternately coerced and seduced A.O.L. into abandoning Netscape's browser and promoting Internet Explorer. As evidence, Boies produced a January 21, 1996, E-mail in which an A.O.L. executive described an encounter with Gates: "Gates delivered a characteristically blunt query: how much do we need to pay you to screw Netscape? ('this is your lucky day')."

Boies went on to tell of Microsoft's desire to boost its browser share, and its fury at learning that some P.C. manufacturers and Internet service providers were reconfiguring the boot-up screen displaying the Windows 95 logo. He then produced an E-mail from one Microsoft executive asking, "Do you think we should look at making this harder?" Difficult to do in Windows 95, came a reply, but it added, "We'll do something to make this hard" in Windows 98. In other words, Boies told the Judge, Microsoft was saying, "We're going to manipulate the technology, not for innovation, not for consumer benefit, not for technological advances, but to hurt competitors." Boies produced a March, 1997, memo from a Hewlett-

Packard executive to Microsoft, which began, "We were very disappointed," and then referred to Microsoft's refusal to let Hewlett-Packard customize the startup sequence. This had "resulted in significant and costly problems," the memo went on to say. "From a consumer perspective, we are hurting our industry. . . . If we had a choice of another supplier, based on your actions, I assure you that you would not be our supplier of choice."

Microsoft, Boies continued, offered inducements to Intuit to spurn Netscape (Intuit turned them down), and it also threatened to terminate the vital software applications it had been providing for the Apple Macintosh if Apple didn't limit its ties to Netscape. Even Microsoft's close allies, Boies said, were bullied. He told of how irate Gates had been in the summer of 1995 when he met with Intel, the dominant chip maker, about software research it was doing, and said to a group of Intel executives, including the Intel chairman, Andrew S. Grove, that he wanted them to abandon that quest. "Again, what you have is Microsoft trying to tell another company what products it can and cannot ship," said Boies.

Boies said that by mid-1998 Netscape's share of the browser market had dropped from more than seventy-five per cent to about fifty per cent, while Microsoft's browser share climbed from twenty per cent at the beginning of 1997 to fifty per cent. By one estimate, Microsoft was now capturing seventy-six per cent of new browser users, Boies said.

The courtroom's own air supply was hot, and the heat seemed to make Judge Jackson and more than a few other people in the courtroom drowsy; Jackson rubbed his eyes and sometimes closed them, then jolted upright, straining to stay awake by chewing on ice cubes. Boies took this as a cue, and summed up. Without "some kind of intervention," he said, Microsoft would soon succeed in murdering Netscape. Boies promised to prove his case by using the very technology that Microsoft depended on—E-mail. Microsoft's E-mails and the more than three million pages of documents that the government had collected from them were the equivalent, Boies implied, of the kinds of wiretaps the government used to snare criminals.

Boies had finished by two-thirty, an hour and twenty-five minutes earlier than the time Judge Jackson had set for adjournment. Looking down from the bench, Jackson asked Microsoft's chief trial counsel, "Do you want to start now, or would you prefer to defer until tomorrow morning?"

"Tomorrow morning would be fine, Your Honor," was the reply.

Boies was secretly thrilled, for it meant that the government's opening charge would dominate the evening news. "If it had been left to me," Boies whispered later, "I would have jumped to speak and declare, 'I cannot let a moment go by without rising to protest.'"

The courtroom began to empty, and a ritual began: Reporters clustered just outside the courtroom, checking quotes (since no recording equipment was allowed inside), and, more subtly, checking what their colleagues planned to use as the lead of their stories. Then the reporters raced down a flight of stairs and out onto the granite courthouse steps, facing Constitution Avenue, where cameras waited. There David Boies, accompanied by the government team, gave his version of what had happened in court, answered questions, and then ceded his space to the Microsoft team, who offered their own spin. On this first day, Bill Neukom, the lead Microsoft counsel, squinted into the sun and accused the government of using "snippets taken out of context" and material "based entirely on loose and unreliable rhetoric." E-mail, he said, is written in haste, is often full of bluster, and is not necessarily an accurate reflection of what people think and do. "None of these snippets, none of this rhetoric, even approaches proof of anti-competitive conduct," he declared. Still, late that night, after monitoring the TV, the radio, the Web, and the print news accounts, a former newspaperman named Greg Shaw, who was the second-in-command of Microsoft's public-relations department, wrote a memorandum and E-mailed it to the company's senior executives, including Gates. It began, "Opening day of the trial

today was as tough for Microsoft's image as we all expected. It was very bad."

III—MICROSOFT STRIKES BACK

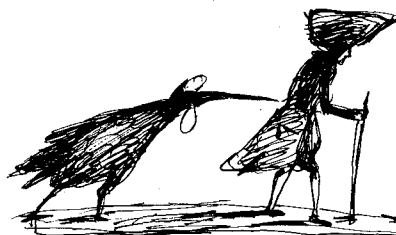
COURTROOM NO. 2 was packed on the next day, with reporters and spectators eager to hear Microsoft's opening arguments. Boies sat at the head of the government table, facing the Judge; and the same seat at the Microsoft table was filled by Neukom.

Bill Neukom is fifty-seven, and like Boies he has been married three times and has a brood of children—four, in his case. But if Boies were to be portrayed by Tom Hanks in a movie version of this trial, Neukom would be played by James Mason. He is six feet four and has wavy silver hair that does not flutter in breezes. He never wears the same suit twice in a week. His shirts are starched, his cuffs are fastened by gold or silver cufflinks, and his assortment of vivid bow ties seems inexhaustible. A man of elaborate courtesies, he always holds the gate for an opposing lawyer and never appears rushed as he glides through the courtroom.

Neukom's father co-founded and ran the San Francisco office of McKinsey & Company, and he and two brothers and a sister were reared in nearby San Mateo. After graduating from Dartmouth, and from Stanford Law, he moved to Seattle. He eventually joined the firm of Shidler, McBroom, Gates & Lucas, where he worked mostly on real-estate and contract law and a few criminal cases. A fateful moment in his career came in 1978, when a senior partner in the firm, the elder William H. Gates, strolled into his office and said, "My kid's bringing his little business up here to Seattle, and would you take a shot at looking out for him?" Neukom recalled, "To this day, I don't know why he stopped by my door."

Bill Gates's father remembers why. "The company was becoming more and more important to the law firm," he explained. "We needed someone to work with it—someone with good judgment, with very good people skills." Then the company got so big that Neukom suggested it form its own legal department. In 1985, a year before Microsoft first sold its stock, the department consisted of Neukom and two other employees. Fourteen years later, it consisted of more than four hundred employees, of whom about a hundred and fifty were lawyers.

Over the years, Neukom became a



Seattle civic leader, and was active in the American Bar Association, where he served as one of five national officers. He is now a tireless promoter of Microsoft's philanthropic endeavors and the founder of the Neukom Family Foundation, whose purpose is to invest in education and health-care projects for the poor. Among his gifts to the foundation was a transfer, in June of 1998, of ninety-six thousand five hundred shares of Microsoft stock valued at nearly five and a half million dollars. (S.E.C. filings reveal that he owns Microsoft stock worth more than a hundred million dollars.) Some at Microsoft dismiss Neukom as a legal nerd or a slick bureaucrat, but he has long been close to Gates. Throughout this trial, Neukom E-mailed regular reports to Gates on developments in the courtroom. He is often described as patient. When Apple and Microsoft were locked in a patent dispute, Neukom told Gates to ignore the bad press and pay attention to the law. Five years later, in 1993, when the courts ruled as Neukom had calmly predicted, he became a source of reassurance within Microsoft.

IF Boies was the quarterback of his team, Neukom was the coach of his. In court, Neukom silently presided at the table, his tortoiseshell half-glasses sliding down his long Roman nose while he carefully scribbled notes, left-handed, on yellow legal pads, neatly

folding each page. He described his role: "I've got to put the right team on the field." His designated quarterback was John L. Warden, a partner in Sullivan & Cromwell. By contrast with the thin, slightly dishevelled Boies, Warden, who is portly, fairly announces himself. He wears dark-framed round glasses, carries a thick, expensive leather case in one hand and, often, a bowler in the other, and marches down the courthouse corridor with his arms pumping and his wing-tip shoes slapping the carpet.

Warden is formal in court. On this occasion, his hands clasped firmly on the sides of the podium, he introduced himself, Neukom, and then seven other members of the legal team. He read his prepared celebratory remarks in defense of Gates: "The antitrust laws are not a code of civility in business, and a personal attack on a man whose vision and innovation have been at the core of the vast benefits that people are reaping from the Information Age is no substitute for proof of anti-competitive conduct and anti-competitive effects."

The evidence, Warden went on to say, "will confirm what Microsoft has been saying all along; namely, that Internet Explorer technologies are an integral part of the operating system and cannot be removed from Windows 98 without seriously degrading it." The two are dependent on each other to perform tasks like "the shutter in a camera." The consumer

benefits of this bundled product are readily apparent, Warden pointed out; after all, "ordinary consumers who buy computers at Wal-Mart have no interest in piecing together an operating system from a grab bag of separately marketed components. They want their new machine to come out of the box . . . and just work." Consumers chose Microsoft only after Microsoft had produced a technically better browser, he said, and not because of Microsoft's muscle.

Rarely gesturing, Warden read on, turning now to the coercion charges. The government contends, he said, that Microsoft's contracts with P.C. makers and others were examples of exclusionary contracts, prohibited by the antitrust laws. Not so; they were "pro-competitive," because they helped to "reduce Netscape's overwhelming dominance and gave consumers a choice," he declared, and went on to say that this sort of contract is common. As for Internet service providers, to whom customers pay a monthly fee to gain access to the Internet, Warden said, Microsoft had contracts with only eleven out of more than three thousand, and these did not prohibit them from doing business with Netscape. Besides, since these contracts "became a lightning rod for criticism of Microsoft," he went on, the company had already suspended many of their provisions. Nor would Microsoft enter into any more contracts of this kind, "so this issue is truly moot."

The contracts that Microsoft had with computer manufacturers, Warden claimed, would show that Microsoft didn't interfere with P.C. makers who chose to install software on top of Windows 98: "If they think it adds value, that is their business." The important point for the court to register, Warden said, is that Netscape has not been foreclosed in its ability to distribute its product. Nor have customers been hindered in their ability to download Netscape on their P.C.s; sixteen million copies were downloaded in June, July, and August alone. He said that the claims made about an alleged "air supply" threat were bogus. The discussions with Netscape, like those with Apple or Intel, were normal in an industry where companies both compete and cooperate, always "urging your prospective partner not to ally with your principal competitors."

Warden, who was raised in southern Illinois, read his statement in a drawl so



"Not in front of the crew!"

pronounced that his words were sometimes slurred. Microsoft did not have monopoly power under any legal definition, he said, because in the software business competitors faced “no structural barriers to entry.” In the software business, he added, there are “no factories to build, no mineral deposits to locate, and no distribution infrastructure to develop.” There were also no constraints on how many copies could be produced—just brains, and the capital to support them, were required, and both were plentiful. He pointed out, “Any competitive position can be lost overnight if someone else creates a technically superior or more user-friendly product.”

There is a theory advanced by some economists, and embraced by the government, that superior products will not always win—that in certain industries, like high-tech, products with a large market share will tend to lock in customers. Warden argued that “if such lock-in effects existed, it would have been impossible for Microsoft to make a dent in Netscape’s commanding lead in Web-browsing software, a point the government’s economic experts ignore.” P.C. makers have alternatives, he said, but “they install Windows because that’s what their customers want.”

Concluding his presentation, Warden said he hoped the court would decide “that this is not really an antitrust case but a return of the Luddites,” and he went on, “The government’s case is a fundamentally misconceived attack on the creation of innovative new products by operation of the free market.”

IV—MAN FROM NETSCAPE

BOIES and Warden both made compelling points, but sometimes they sounded like academics. Boies still had not proved consumer harm, which is one crucial test for antitrust law, and, with computer prices plunging and Microsoft giving its browser away, this would not be an easy case to make. No doubt, Microsoft had contracts limiting the business A.O.L. and others could undertake with Netscape, but doesn’t that resemble what Coca-Cola does when it demands that McDonald’s not serve Pepsi-Cola? And, yes, Microsoft



“We are so in synch. I was just about to ask you for a divorce.”

did give its browser away to lure customers from Netscape. But many companies offer products at a loss in order to build market share.

Warden’s opening argument had at least as many vulnerabilities. Anyone who covered Microsoft between 1995 and 1997 knows that the company believed it was in a struggle with Netscape, and invoked Netscape as a spur, a way to keep Microsoft hard core. The company fought hard—gave its browser away, delayed software upgrades, threatened retaliation, and wrote restrictive contracts. Bundling the browser in with Windows was a weapon to beat Netscape, not just a means to better serve consumers.

In the eyes of the law, the Sherman Act’s crucial questions, as the Supreme Court has ruled, are: Did the company possess monopoly power? And was that power achieved or preserved through improper means? Other companies may exert leverage, using muscle to convince others to do it their way, but when a monopoly acts in that manner we graduate from hard core to restraint of trade. Coca-Cola muscles McDonald’s, but Coca-Cola doesn’t dominate the soft-drink market the way Microsoft dominates P.C. operating systems.

In the end, the Microsoft trial may determine whether antitrust laws can fairly

be applied to technology companies and the Internet, where classic monopoly characteristics—rising prices, control of finite resources, distribution barriers to entry, and choke holds on innovation—are not as apparent, even if the allegations of coercive tactics are familiar.

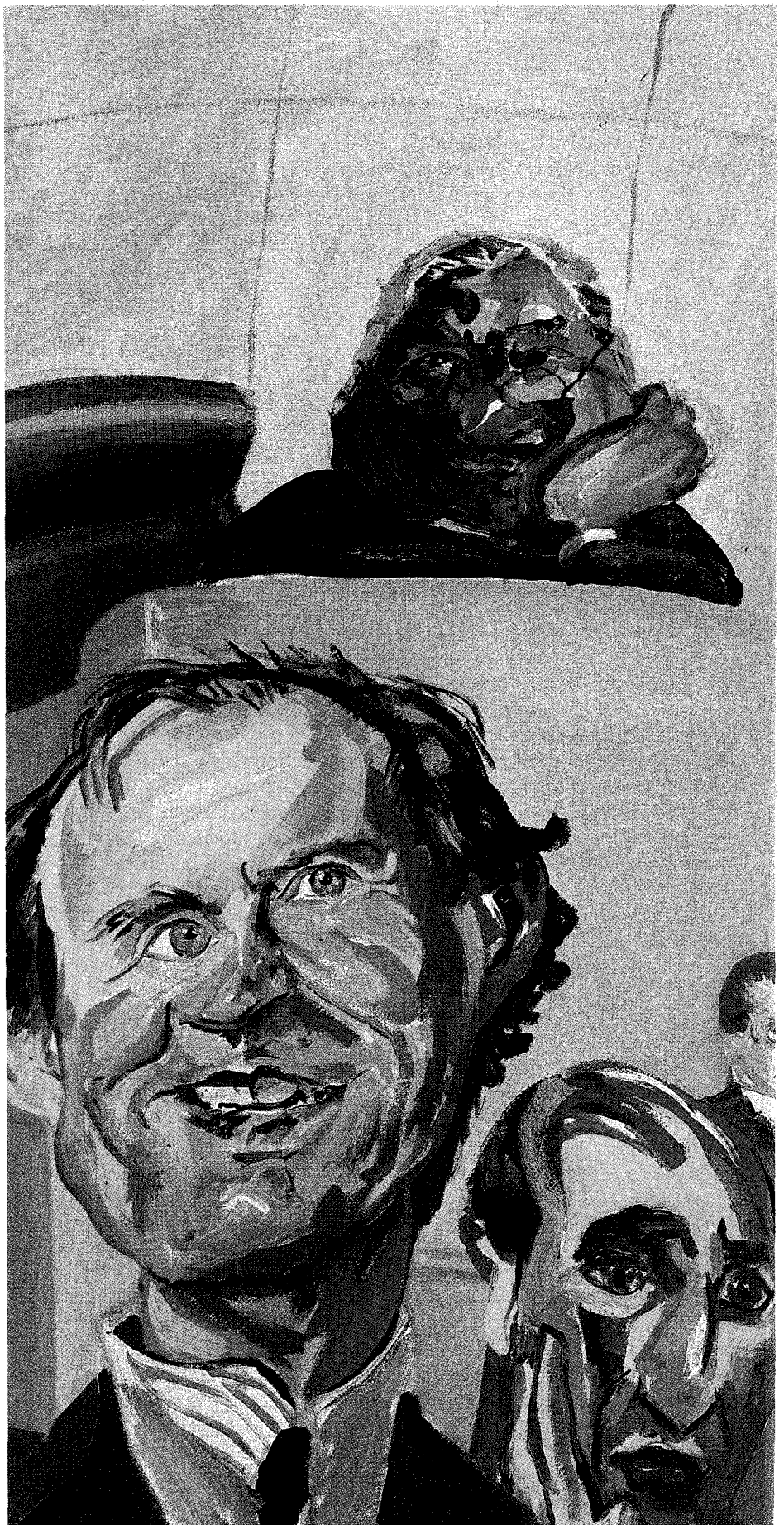
The center of gravity among economists has shifted away from the populism that previously animated antitrust legislation. Throughout its century-old history, the law has undergone as many twists and turns as an Albanian road. For every legal precedent cited by the government, Microsoft can cite its own. The government touts the 1912 United States v. Terminal Railroad Association of St. Louis case, in which the court ruled that a company that controlled every rail route into the city could not restrict access so as to disadvantage its competitors. The government believes that Windows is just such an “essential facility.” Microsoft touts the 1979 Berkey Photo v. Eastman Kodak decision, which held that “any firm, even a monopolist, may generally bring its products to market whenever and however it chooses,” and be given freedom to innovate. (It was John Warden who won the case on appeal.) One influential decision in recent antitrust law was written in 1984 by Supreme Court Justice Stephen Breyer when he served on the First Cir-

cuit Court of Appeals. In *Kartell v. Blue Shield* he wrote that the Sherman Act was originally seen "as a way of protecting consumers against prices that were too *high*, not too low. . . . Courts at least should be cautious—reluctant to condemn too speedily—an arrangement that, on its face, appears to bring low price benefits to the consumers." Increasingly, the courts are also aware that, by the time government acts, often the problem has abated, as happened with I.B.M.

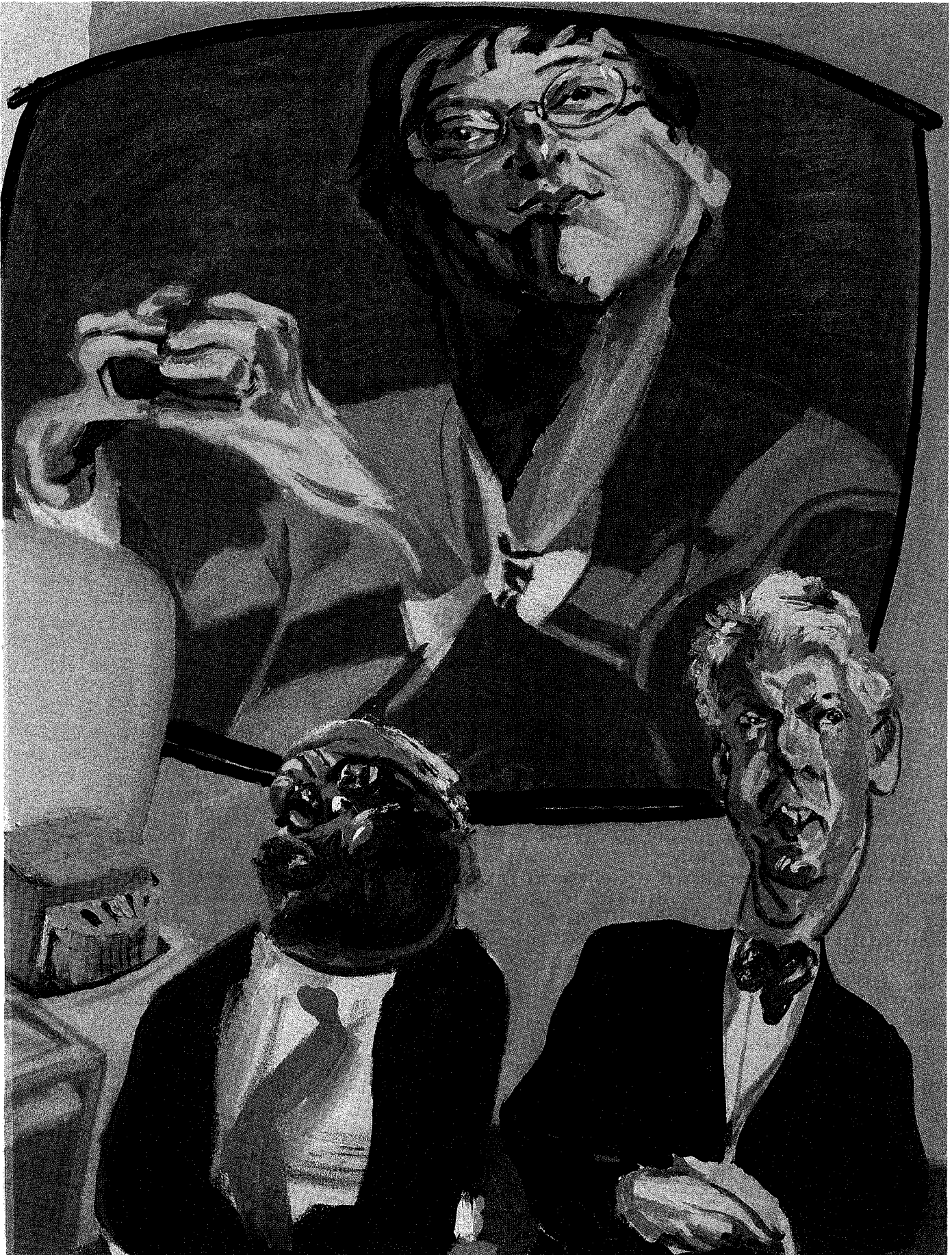
THROUGHOUT the trial, it was as if two different companies were being described. Each government witness would paint a grim picture of Bill Gates and Microsoft and its rapacious culture, and each Microsoft witness would offer a pious portrait of a model entrepreneurial company. At the heart of the government's foreclosure-and-coercion case, however, was Netscape, and for this reason the government called as the first of its twelve witnesses James Barksdale, the C.E.O. of the company. His written testimony, which, like the testimony of all others, had been distributed to reporters in advance, ran to a hundred and twenty-six double-spaced pages. Barksdale claimed that Microsoft had crossed a legal line by using the "bullying and tough tactics" of a "monopolist" to "squelch competition in the browser market."

Before Barksdale was sworn in, on the second day of the trial, John Warden rose and moved that parts of Barksdale's written testimony be stricken because it contained "multiple layers of hearsay," which in some cases was "fourth-hand hearsay." Judge Jackson immediately ruled that if this were a jury trial "it might be dealt with somewhat differently," but that he would "admit the testimony in toto." However, he added, he would recognize hearsay evidence as such and give Warden every opportunity to rebut it. Warden thanked the Judge, and Neukom registered no emotion as he sat at the Microsoft table scribbling notes. But this ruling, and one that Jackson made that afternoon, denying Microsoft's motion to disallow the playing of Gates's video as if he were a witness, angered Microsoft. Weeks later, when I saw Gates at a New York dinner in his honor, he was still furious, cursing and sputtering that the Judge had permitted hearsay to masquerade as fact at the trial.

Barksdale was a formidable-looking



Clockwise from top left: Judge Jackson, Bill Gates, Bill Neukom, John Warden, Joel Klein



and David Boies. Gates's videotaped deposition gave a portrait at odds with the decisive, fearless straight shooter of common lore.



"Don't you think it's time you started thinking about your legacy?"

witness—a handsome man with wavy gray hair and the courtly manners and slow drawl of a youth spent in Jackson, Mississippi. He had an unusual résumé for Silicon Valley. He was neither a young inventor with more hubris than experience nor an entrepreneur who disdained management. Barksdale, who was fifty-five, wore as many management ribbons as any executive in the Valley, starting with his first eight years—from 1965 to 1972—spent at I.B.M., where he began as a salesman, and continuing to his most recent role, as president and chief operating officer of McCaw Cellular Communications, the cellular giant that had been acquired by A.T. & T. in 1994. In January, 1995, he became the president and C.E.O. of the startup Netscape, a company whose key product, Netscape Navigator, helped propel the Internet revolution. There were two million users of its pioneering Web browser when Barksdale joined the company. A year later, there were fifteen million.

From the beginning, Neukom and his legal team believed that their mission was to refute nearly every fact submitted by a government witness, so Warden, in his cross-examination, chose to follow scru-

pulously Barksdale's written testimony. He asked Barksdale a stupefying number of questions, including a request that he explain "the improvements" Netscape had made to its software, which is not the best request to make of a former salesman. Barksdale obligingly enumerated its many new features, ending with "I could get you a long list."

"That will do, thanks," Warden said.

"I hope you buy the product," said Barksdale, with a sly smile.

Theatrically, Barksdale won, but Warden had also driven home a point: ever since the advent of the P.C., when customers were required to pay extra for options like spreadsheets and disk drives, computer companies have tried to combine features. At times Warden's approach seemed to perplex the Judge, however. Warden, trying to get Barksdale to define what he meant by "monopoly product," pressed him to distinguish between a diamond monopoly and a soup monopoly.

"What's your question?" asked the Judge.

"My question is he's used the term 'monopoly power,' and I want to know what it means."

"I thought he defined it once."

After a while, Warden brought up the "air supply" quote and asked when Barksdale had first heard it. Barksdale pleasantly surprised Warden by saying he had heard that Larry Ellison, the chairman and C.E.O. of Oracle, used it to mean to "disadvantage a competitor." The idea was thus planted that Microsoft executives were not the only ones who talked like cowboys. Warden burrowed in, asking whether Barksdale had actually heard it from Paul Maritz, a Microsoft executive who was said to have used that phrase. Barksdale admitted that he had not actually witnessed this. Warden moved on to ask Barksdale whether Netscape's ambition was to destroy Microsoft by using its browser as a substitute for Microsoft's operating system. Barksdale maintained that he had never said that, but admitted that the inventor of his browser, who was his chief technologist, the twenty-six-year-old Marc Andreessen, had made such a claim; in fact, Andreessen had once said that Netscape would "reduce Windows to a set of poorly

debugged device drivers." This was the joke of "a young man," Barksdale said, and not for a minute did he believe that Netscape could fully replace Microsoft's Windows platform as the jumping-off point for other applications. By the end of the witness's first day, Warden had got through only the first thirteen pages of Barksdale's written testimony.

IN many ways, the first few days in the courtroom established a story line for the trial: David—Boies, that is—slays a bumbling Goliath. In his arsenal was a mordant wit. While questioning Barksdale, for example, Boies, the non-P.C. user, asked about the "log in" to an Internet service provider.

"No, it's 'log on,'" corrected Barksdale.

Boies smiled, and said, "I knew that! I was just testing to see whether you were paying attention."

Boies produced E-mails that Netscape executives sent after the June 21st meeting complaining that Microsoft had not given them parts of the A.P.I. code they needed to make use of certain features in Windows 95, which was released in August, 1995. Microsoft did not deliver that code until October, 1995, claimed

one E-mail, "which caused us to miss most of the holiday selling season." (Microsoft denied this.)

At the end of Barksdale's second day on the stand, Warden, trailed by Neukom, marched out of the courtroom. He quickly passed Boies, who was standing just outside the courtroom, surrounded by reporters. The reporters thought Microsoft's legal team was rigid; Microsoft's lawyers thought they were obeying court rules, which said that journalists were not supposed to interview lawyers in the courthouse. This was a rule that would bend as the trial went on. But Microsoft's aloof behavior in the courtroom and on the steps reinforced an impression that the company was being guided by legal pedants who were ignoring the larger public trial at their peril.

Still, Warden's cross-examination did score a few points over Barksdale and over the government. Seeking to demonstrate that Netscape, not Microsoft, had taken the initiative, Warden submitted as evidence a December 29, 1994, E-mail sent at 3 A.M. by the Netscape co-founder, chairman, and then C.E.O., James Clark, to Brad Silverberg, a senior Microsoft executive, saying abjectly that his company "never planned to compete" with Microsoft and offering to sell Microsoft a chunk of Netscape. The E-mail was sent at a moment when Netscape's revenues were slim and its capital was shrinking. Barksdale read, "We want to make this company a success, but not at Microsoft's expense. We'd like to work with you. Working together could be in your self-interest as well as ours. Depending on the interest level, you might take an equity position in Netscape." Barksdale appeared to be flabbergasted, and told Warden that this was the first time he had seen the E-mail. Then Warden, in perhaps the most dramatic moment of his cross-examination, asked Barksdale if he considered Clark "a truthful man." Barksdale did not immediately respond, and when he did he hardly gave Clark a ringing endorsement: "I regard him as a salesman." Barksdale said he thought Clark was freelancing. Warden, however, had introduced an element of doubt: Maybe the June, 1995, meeting was Netscape's idea. Maybe Netscape was the aggressor, and not Microsoft.

Barksdale was followed by the senior vice-president of business affairs at A.O.L., David M. Colburn, who wore a stubby beard, cowboy boots, and a per-

petual smirk. Colburn's testimony, like Barksdale's, offered still more evidence of what Microsoft considered hardball tactics and the government considered thugery. Concerned that Microsoft had too much power, A.O.L., on March 11, 1996, had signed an agreement with Netscape to license its browser. Microsoft then offered to feature A.O.L. in Windows 95—if A.O.L. agreed to limit the distribution and promotion of Netscape. On March 12, 1996, A.O.L. acceded to Microsoft's terms, despite the deal it had made a day earlier with Netscape.

Warden, in his cross-examination, produced internal A.O.L. documents that said that by 1996 Microsoft's browser was technically superior—in other words, that A.O.L. had chosen Internet Explorer on the merits. He also produced a draft memo from the chief executive of A.O.L., Steve Case, in which Case agreed with Andreessen's description of Microsoft as "the Beast From Redmond" and called for a "grand alliance" among A.O.L., Netscape, and other companies to defeat this corporate monster.

"In your various dealings with the Department of Justice, stirring them up against the 'Beast From Redmond,' did you disclose that you made a market-division proposal to Netscape?" Warden asked.

No, Colburn said. It wasn't a market division. It was a common search for a "strategic relationship."

However, Microsoft was establishing a theme it would return to throughout the trial: Every company does what Microsoft has been accused of doing. In turn, the argument received this government retort: Not every company is a monopoly, and the law prohibits a monopoly from doing what other companies are allowed to do.

A FEW days later, Boies announced that he would play more of Gates's video deposition. Microsoft objected to releasing any of the tape to the press, whereupon Judge Jackson beckoned both sides to the bench. The Microsoft team's sullen faces conveyed a palpable sense that they felt surrounded by a hostile government in a hostile city with hostile reporters waiting to pounce. Boies told the Judge it was the government's understanding that once the excerpt of Gates's video deposition was played in the courtroom, both the tran-

script of the exchange and the taped part of the exchange could be released. With Neukom standing stoically behind him, Warden said he had no objection to releasing the transcript but did object to releasing copies of the tape, which could be broadcast on television and thus, in effect, allow cameras to invade the courtroom.

"If it were open to me, Mr. Warden, I probably would adopt your position in toto," Jackson said. But the rule he had followed all along, he explained, was "that anything which is presented in open court is available to the press."

After the lunch break, Gates again appeared on the courtroom's various screens. Still sipping from a can of Diet Coke, he rarely looked up at his off-camera interlocutor, and alternately rocked slowly back and forth or slouched forward as he was quizzed by Boies or by a New York State Assistant Attorney General named Stephen Houck. In a long portion of the deposition, Boies asked Gates whether he had ever threatened to cancel Macintosh Office, a suite of business applications. After Gates said no, Boies stopped the tape and told the court that he would like to introduce some new exhibits. One of these was a June 27, 1997, E-mail from a Microsoft employee named Ben Waldman

to Gates asking him to agree to complete the upgrade of Macintosh Office and "detach this issue from the current Apple discussions." Waldman, who oversees relations with Apple Computer, continued, "The threat to cancel Mac Office 97 is certainly the strongest bargaining point we have, as doing so will do a

great deal of harm to Apple immediately." Gates said that he didn't recall receiving the E-mail, and that in any case it concerned nothing more than an "internal debate" about a single upgrade.

In August, 1997, Apple and Microsoft finally made a "deal" about their "relationship," and Apple endorsed Microsoft's browser. Now Boies asked, "Does the deal prohibit them from shipping Netscape's browser without also shipping Internet Explorer?"

Gates said he wasn't sure.

"It's your testimony, sitting here today under oath, that you simply don't know, one way or the other, whether Apple is today free to ship Netscape's browser



without also shipping Internet Explorer?"
 "That's right."

Gates was a terrible witness. But, even if he sometimes skirted the truth, this didn't mean he was guilty of creating a monopoly. Disagreeable behavior may not be criminal. Over breakfast one morning, Neukom expressed his disdain. The government's case, he said, evades the central conclusion of the Court of Appeals decision that permitted Microsoft to tie a browser into its operating system. "The law is designed to encourage companies to innovate and enhance services for consumers."

V—INSIDE THE BEAST

A FEW months into the trial, I visited Microsoft's headquarters, in Redmond, just outside Seattle. Here the employees refer to the place where they work as a campus, far removed from regulators in Washington, D.C., and from competitors in Silicon Valley. They live on a self-contained planet, where phones rarely ring, where E-mail communication is said to total three and a half million exchanges per day, where espresso and focaccia are served in the cafeterias, where organized sports help keep the employees on campus, and where most waking hours are spent in front of a P.C. screen. The average age of the more than thirty-one thousand employees is thirty-four.

In Redmond, one encounters a sense

of embattlement. James Allchin, a senior Microsoft executive, whose testimony at the trial would make headlines, told me, "I feel we're on the brink of disaster every day. If you're reading newspapers and watching what's happening—new devices, new operating systems, attacks that claim intellectual property means nothing—it's like a massive attack all the time." On another day, I talked to Yusuf Mehdi, who is thirty-two and directs marketing for Windows, and he said, "I don't think I've ever been more worried. . . . The threat is obsolescence. How do we respond to people who say, 'My TV doesn't crash'? How do we respond to people who say, as Netscape does, 'Why do you need Windows? You can just use the Web.' We need to figure out how to make it in this new Internet world. I look around and see tens of companies that might have better ideas."

To come up with better ideas, Microsoft spends an extraordinary three billion dollars each year on research and development. A portion of this budget is earmarked for pure research—for recruiting and funding the best scientists and engineers. In an era when such theoretical research is usually sacrificed as impractical, and companies strive to cut costs and boost their stock price, Microsoft is a rare oasis. But it is also a place seeking to dominate the realm of new products: browsers for wireless devices, software that permits P.C.s to

boot up instantly, laptop batteries that last for twelve hours, P.C.s that accept voice commands and translate handwriting into type, interactive toys and dolls, auto P.C.s that function as radios and CD players as well as navigation devices that map a driver's destination and then offer voice instruction to turn right or left at the next corner.

Among the development projects that Gates is now most excited about is a product called ClearType, which seeks to improve the resolution on P.C. screens. Bill Hill, who was born in Scotland fifty years ago and joined Microsoft in 1995, comes to work each day wearing Bermuda shorts and with his hair in a ponytail. His mission has been to increase the resolution on an L.C.D. computer screen from eighty-eight pixel dots per inch to three hundred per inch. Words on the screen will therefore look the way words do on paper, spurring advances in electronic books and maybe in on-line reading. "Trying to portray type with a pixel is like trying to paint the 'Mona Lisa' with a paint roller," Hill told me. "We've changed the size of the paint roller." Microsoft plans to make ClearType available later this year. Eventually, ClearType and many of the new technologies like voice and handwriting recognition that Microsoft is developing may, like its browser, be included in Windows. Microsoft claims such developments serve consumers; the Justice Department claims they serve to solidify Microsoft's monopoly.

IN obvious ways, the Microsoft culture is egalitarian; almost all the people there have the same modest offices, the same kind of computer equipment, and the same relatively modest salaries. (Gates's base salary is three hundred and sixty-nine thousand dollars.) Almost everyone has access to Microsoft's generous stock-option grants. In other ways, though, Microsoft is a meritocracy, where people are pitted against each other and the ablest survive. Rob Glaser, the C.E.O. of RealNetworks, a maker of multimedia Internet applications, who worked alongside Gates for ten years but is now sometimes considered an adversary, says that the people at Microsoft think of the world as a "very Darwinian place." He went on to explain that the peer pressure is to push, to boast of being hard core; so a Gates negotiation is more a head-on compe-



"Would you like me to warm up your eggs?"

tition than an opportunity for both sides to win. "I once said to Bill, in 1992, 'Shouldn't we worry about the court of public opinion?' I was trying to ask a meaningful question, even if this term was not mathematically well-defined. When you're in the lead, you can play a statesmanlike role of not winning every concession. While still maintaining leadership, you don't have to leverage every advantage that you have. Bill thought it was a vague, inarticulate idea."

Gates dominates not with charisma or with charm but with his brains and his passion. "Bill can be a bad sport at games," a friend told me, recalling a game of charades. On this occasion, Gates was losing, the friend said. Suddenly, his voice rising, "he accused his friends of cheating: 'You're not allowed to do that! Wait a minute! This is an infraction!' If he couldn't win, he'd find an infraction. It was absurd. But when you think about it, it all fits. 'The government is wrong! They're just wrong!'"

Nevertheless, it is almost impossible to imagine Microsoft without Bill Gates. Rick Rashid, the vice-president of research at Microsoft, said to me, "Most company or university people tend to have a cynical attitude concerning the people they work for. They complain that their company doesn't understand them. That just doesn't happen here."

To many people who had been sitting in court during the first several weeks of this trial, it seemed that Gates and his adjutants had seen too many "Godfather" movies. I came to think that Microsoft's behavior seemed more childlike than Moblike, recalling the sort of self-centeredness one finds in a teen-ager. The lingering question in court was: How could such a smart man give such a wobbly deposition? Christine Varney, a former Federal Trade Commissioner, who represented Netscape at the trial, said of Gates, "He's got really good lawyers. I suspect he didn't listen to them. . . . Microsoft's lawyers are treated like gardeners." A variation on this Gates-is-to-blame theme was expressed by a Gates friend: he said he saw Gates's behavior as argumentative—failing to concede the obvious. The friend went on, "It sets him up to be untruthful, because he contradicts things he need not have contradicted. It stems from a belief that he can out-



"I had that, only worse."

debate, out-micro-language Boies. I get that impression because I know the guy. If I didn't, I'd be stunned. It's like in a gangland trial where the gangster says, 'No, I'm in the olive-oil business.' It seems disingenuous."

Others blame Gates's lawyers. "He couldn't have been briefed," Boies said. If Gates went off on tangents or was unresponsive, he continued, it was the lawyers' task to rein in their client: "If I were his attorney and in the room, I would have stopped the deposition." Neukom shrugs off these theories. "He was advised to be precise," he said, defending both Gates and himself. "He was asked questions. It was not possible to remember every E-mail, every contract or conversation."

When I talked to Gates in the late spring, I asked him how he would explain the gap between the omniscient C.E.O. described by employees and the senescent Gates on the videotape. He leaned forward and said, "I'd love to have you pick any part of the deposition and let me answer."

What about the part, I suggested,

when he refused to say he was "concerned" about Netscape?

Gates replied, referring to Boies, "He was trying to make it as though we only had one competitor, which was Netscape. Look at that sequence of questions. . . . Take market share. There are so many ways of measuring browser market share. . . . Whose job is it to ask precise questions? That's the lawyer's job." He continued, "Are you saying that you wish that when he asked 'Are you concerned?' I had just said, 'Yes, that's the only thing I was concerned about,' and under any definition of the word 'concerned' the answer absolutely has to be 'yes'? That is, totally, a misportrayal of those years. . . . I don't know what it means for a company to be 'concerned.' Honestly, I don't. I mean, am I concerned about Squiggle Corporation right now? I've never heard of Squiggle Corporation. Is it possible that there's some guy writing E-mail that says, 'Oh, Squiggle is going to put us out of business'? Are you saying I shouldn't have tried to give precise answers? Is that what you're thinking? The issue is to give truthful answers. I gave totally, absolutely

truthful answers. You're saying that 'Oh, it didn't look good.' O.K., fine. That's not what a deposition is about." What really bugged him, he continued, was "some notion that somebody says I don't have a good memory about things, that I showed a poor memory about things. That is an unbelievable lie! There is no part of that deposition where in any way, in any time, I show anything but the most excellent memory."

Boies, who earned credibility with reporters because he is so candid, concedes that he is stereotyping Gates. "What goes on in the courtroom is only a slice of what is relevant about him," he told me. "This is not a trial about Bill Gates. It is only in a limited way a trial about Microsoft. This is a trial about certain aspects of Microsoft's conduct. And it may not be the most important aspects of Microsoft. To get a sense of Gates as a person, you have to look far beyond what we're talking about in this trial."

VI—WHO IS BILL GATES?

GATES does not exactly look like a leader of men. Crowds do not part when he enters a room. His voice, though it has a high-pitched trill, does not command attention. There is no poetry in his speeches, no swagger in his gait. He is partial to wisecracks and to words like "cool," "neat," and "super." He sits slumped on a stage, looking less like a mogul than like a boy ordered to wear a suit. But while Gates may not fit familiar molds, he is a leader nonetheless. Rick Rashid has described the "awe" he and other scientists at Microsoft feel when they meet with Gates and he has read their technical briefing papers. One moment Gates is jotting equations on a white board or arguing passionately with the mathematicians about incipient infinite clusters—"I only roughly understand it," Rashid said—and the next he is arguing with economic specialists about monetary trading. Gates's breadth of knowledge continually astonishes Rashid.

At his birth, on October 28, 1955, William Henry Gates was given the same name as his father, grandfather, and great-grandfather, and he was nicknamed Trey. His mother, Mary, who died of breast cancer in 1994, devoted her considerable energies to myriad charitable and civic activities, most notably serving as chair of United Way International and

president of the University of Washington's Board of Regents. His father, a powerful physical presence, at six feet six inches, and a dominant partner in his law firm, was himself the son of an entrepreneur who established a well-known furniture store in the Seattle suburbs. The family had a box at University of Washington football games, and counted the governor and members of Congress as friends.

"My mom was naturally social in a way that was incredibly great, reaching out to people," Gates told me, and he added that she "immediately made a stranger feel her warmth." His father always rigorously analyzed issues. Their son, whose birth came between that of two daughters, did not display much charm. As a teen-ager, he had a slight build and big feet; he wore his pants hiked high over his waist, buttoned the top button on his shirt, forgot to comb his hair and sometimes to bathe, and, unless his mother intervened, never put things away. Above all, he immersed himself in books and, later, computers.

Over a lobster salad in the unremarkable suburban house in which Bill Gates grew up (a nearby road is now called Mary Gates Memorial Drive), his father, who is seventy-three, told me, "We knew he was a smart kid. That was pretty evident. More than smart, he was so curious about everything. He did not possess the innate social skills that a lot of other kids come up with. He was shy, and didn't have a lot of self-confidence."

What was perceived as odd behavior—the rocking, the volatile outbursts, the jumping, the brilliance, and the shyness—has provoked cruel whispers that maybe Bill Gates is borderline autistic. Gates's father recalled that Bill's "rationality" stood out—his insistence on asking questions, on engaging in logical argument. At the private Lakeside School, where he enrolled when he was twelve, Bill and a schoolmate, Paul Allen, discovered computers. They wrote software programs, and started a business analyzing the traffic patterns of various communities. They used a Lakeside computer and won a contract from a major corporation to analyze the electrical-power needs of the Northwest and Canada. Because his family had ties to Congressman Brock Adams, Bill landed a job as a congressional page, in 1972, when he was sixteen. Because Gates loved politics, it's a mystery why his own government rela-

tions have proved to be so inept. Perhaps the answer may be found in something he told me this spring: "You don't have to have a lot of political protection to be allowed to innovate."

The roots of Gates's competitiveness may undoubtedly be found in a childhood spent in a household where sport was transformed into Olympian contests. He traces his business talent to having been exposed to commerce by his father at the dinner table and to his own curiosity. A good friend of his, the investor Warren Buffett, has a simple explanation for people like Gates: "They're wired in such a way that when they see business questions or problems or activities they tend to get the picture very quickly. They don't get tangled up in prejudices or biases they may have. They just tend to get the right answers. It's sort of like 'Why was Ted Williams a great hitter?' It's about seventy-five per cent DNA."

AT Harvard, Gates rarely ventured outside his own circle, except when a dorm-mate and fellow math whiz, Steve Ballmer, persuaded him to attend parties. By his own admission, Gates was depressed in Cambridge and wondered what he would do with his life—at least, until Paul Allen, who had left college to work at Honeywell, outside Boston, visited him one weekend and showed him a copy of *Popular Electronics*. It contained a cover story on the M.I.T.S. Altair 8800, one of the first P.C.s, which was being sold as a kit for just three hundred and sixty dollars. A New Mexico company marketed the primitive machine, and in early 1975 Bill and Paul wrote to the president of M.I.T.S., telling him that he needed software to make the machine come alive. That winter, the two of them holed up in Gates's dormitory and madly wrote code. Allen then flew to Albuquerque to demonstrate how their software made the machine talk. For three thousand dollars and a slice of royalties, Gates and Allen, at the ages of nineteen and twenty-one, had decided what to do with their lives. In the spring of 1975, Allen signed up as M.I.T.S.'s software director, and in June Gates took a leave from Harvard to join him. By July 1st, they were shipping their version of basic 2.0, as it was called. That November, the Gates-Allen partnership was christened Micro-soft.

Early photographs of Gates, Allen,



John Warden, the quarterback on Bill Neukom's team, said, "This is not really an antitrust case but a return of the Luddites."

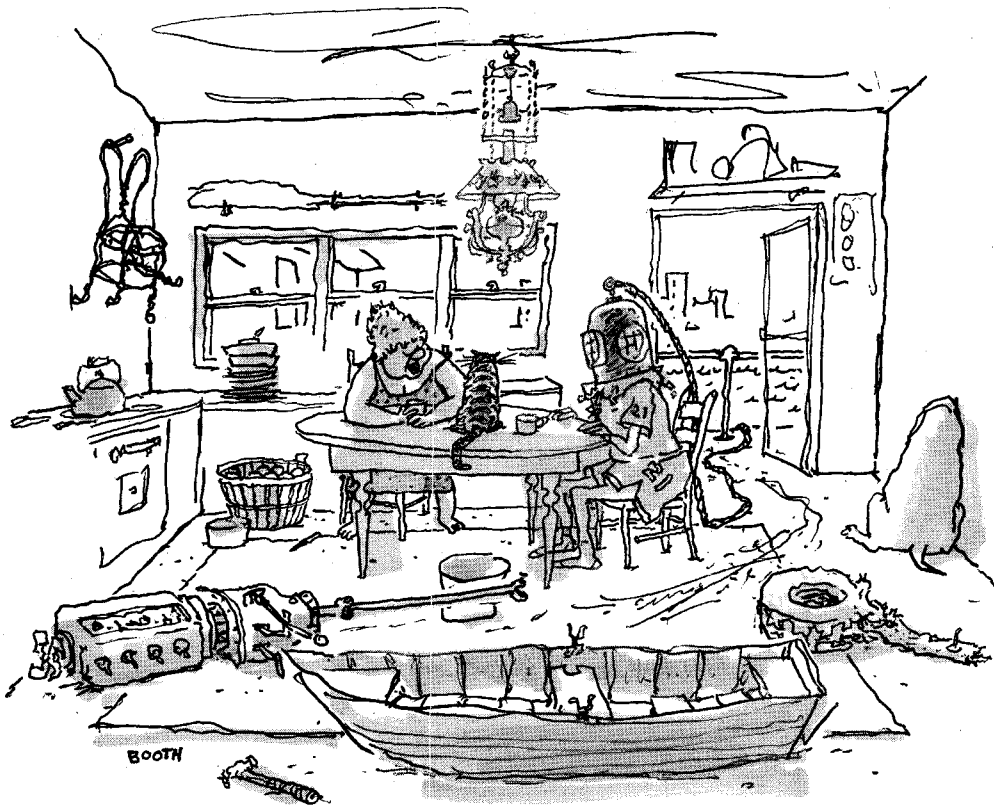
and their handful of employees show a group of kids wearing open-necked shirts, scruffy beards, and determined smiles. Gates was a skinny, baby-faced young man with doelike eyes and oversized, octangular, clear-framed eyeglasses; Allen wore identical glasses and a Karl Marx beard. By the end of its first full year of operation, Microsoft (now hyphenless) had seven employees and twenty-two thousand dollars in revenue.

In 1979, Microsoft moved to Seattle. It now had twenty-eight employees and nearly two and a half million dollars in revenue, and its basic software was fast becoming the lingua franca of a new computer industry. Among the fateful choices that Gates and Microsoft would make, or have the good luck to have made for them, was I.B.M.'s decision to do business with the company. I.B.M.

had contracted with Intel to produce computer-processing chips, or brains, for the first sixteen-bit machines; now it needed an operating system. Instead of understanding that software, not hardware, was the oil of the Information Age, I.B.M. chose to license from Microsoft the MS-DOS (Microsoft disk operating system) and other software programs. Years later, Dell, Compaq, and Gateway would sell what came to be known as Wintel—Windows plus Intel—machines. Microsoft became more dominant in software than Saudi Arabia is in the production of oil.

Another decision of considerable importance was the hiring, in 1980, of Gates's Harvard friend Steve Ballmer, who had become a Procter & Gamble marketing executive and had then gone to business school at Stanford. Ballmer helped professionalize both the market-

ing and the management at Microsoft; he was also a cheerleader—an unabashed enthusiast for Team Microsoft. Three years after Ballmer arrived, Paul Allen left. Allen and Gates were partners, but Gates claimed sixty-four per cent of the stock to Allen's thirty-six per cent; Gates was chairman, and Allen was the executive vice-president. ("I dropped out of school to run Microsoft without being paid while Paul had his M.I.T.S. job," Gates told me.) Allen had tired of his boyhood friend's propensity for yelling and his tendency to ignore him, which was what Gates did in offering not only a job but an ownership stake to Ballmer. Allen was also suffering from Hodgkin's disease, and although he recovered, he chose not to rejoin Microsoft. He sits on the board and is the company's second-largest shareholder, but his relationship with Gates endured a long frost—one



"I can't understand a word you say when your helmet is shut."

that did not thaw until the mid-nineties.

In 1983, Microsoft announced the birth of Windows—a bet by Gates that users would prefer the friendlier point-and-click graphics pioneered by Xerox and then adopted by Macintosh. Microsoft had produced a product that captured consumer support. In 1984, Microsoft's sales almost doubled, to just under a hundred million dollars—a geometric growth that would be replicated again and again in subsequent years. This was a propitious moment to take Microsoft public, and after Bill Neukom signed off on the legal documents, on March 13, 1986, Microsoft stock went on sale for twenty-one dollars per share. The stock has since split eight times: someone who had invested ten thousand dollars in 1986 would have seen his stock value soar to just under six million dollars.

And yet Gates, fearing that companies, like athletes, lose their edge, was afraid that Microsoft was one minute away from extinction. Microsoft, therefore, to retain its lead, did what many companies do: leveraged strength to shore up weakness. It incorporated new software into Windows, including such

features as simple word processing, a calculator, a calendar, new graphics, fax programs, and games. Then, more recently, it added a browser, enticing customers to buy upgrades on schedule and not to stray to a competing product. Microsoft brazenly used discounts and market dominance to keep computer manufacturers bound to it, and devised contracts that placed rival software companies at a disadvantage—a practice that the trial would highlight.

As a chief executive, Gates can be brusque—ignoring social niceties and bluntly challenging fellow-executives to defend themselves after telling them, "That's the stupidest thing I've ever heard!" As a businessman, one Wall Street figure who knows him well observed, he is mature beyond his years, and yet in "emotional areas he's younger than his age." Gates has, after all, never had a boss, never been reprimanded or fired, and rarely confronted business adversity. At an Allen & Company retreat in Sun Valley, Idaho, several years ago, many witnessed a moment when Gates rushed up to John Malone, then C.E.O. of the

nation's largest cable company, Tele-Communications, Inc., and yelled, "Why are you trying to screw me?" On the telephone, Malone recalled, Gates would often exclaim, "How could you do this to me? I thought we were friends!" I asked Malone, who admires Gates's strategic grasp, if he could think of another C.E.O. who had such outbursts. "I've known guys who have done that, but I always regarded it as manipulation," he told me. "Psychologically, he needs to win. You're with me or you're against me' kind of thing."

Gates can be extraordinarily considerate. When Russell Siegelman was a senior executive at Microsoft, he blacked out one day in 1993 and had to have emergency brain surgery. Siegelman, who later became a partner in the Silicon Valley venture-capital firm of Kleiner Perkins Caufield & Byers, remembers the note he received from Gates: "It was so Billish. It said, 'We're with you. Don't rush. It's your

job when you come back.' He's not this guy who just thinks of business." Ann Winblad, a co-founder of Hummer Winblad Venture Partners, who dated Gates in the mid-eighties and has since been a close friend, says, "He sends hand-done birthday cards to friends." And at parties he loves "to lead sing-alongs," she added. "Bill knows the complete words to Broadway shows—the whole libretto." Each spring, Gates and Winblad spend a long weekend alone, usually at her North Carolina beach cottage, where they play golf, take walks on the beach, read, and ponder big and small questions. To those who question the idea of a married man vacationing alone with a female friend, Winblad answers, "People wouldn't ask if Bill went with a male friend."

According to most accounts, Gates has mellowed since marrying Melinda French on New Year's Day, 1994. She had joined Microsoft in 1987, and rose to an executive position before she started dating the boss. "It's hard to separate her influence from the stage of his life he's in," said Patty Stonesifer, who was Melinda's supervisor at Microsoft and is now the head of the

Gates Learning Foundation. For an engagement party, in September, 1993, Gates, inspired by one of his favorite novels, dressed as Jay Gatsby; Melinda came as Daisy Buchanan.

The Gateses' version of East Egg, however, is beyond F. Scott Fitzgerald's imaginings. Bill and Melinda moved into a forty-thousand-square-foot compound that Gates built on Lake Washington at an estimated cost of seventy-five million dollars. The house features an underground garage for a hundred cars and a huge indoor trampoline. Why someone who is unconcerned with appearances should choose to live so ostentatiously is a mystery. "I had a couple of things in mind when I planned it," Gates told me in an E-mail. "One was to make it a showcase for technology, the other was that I wanted to make it big enough so I could have up to a hundred people over for charity events or to celebrate company successes. Having a great library or the incredible screens has been a lot of fun but I still can't enjoy these things without feeling a little guilty about it." Not too guilty, however. Around the base of a library dome is this inscription from "The Great Gatsby": "He had come a long way to this blue lawn and his dream must have seemed so close he could hardly fail to grasp it."

VII—THE CHARM OFFENSIVE

IN Washington, D.C., the first wave of government witnesses seemed to tip the case toward the government. Microsoft was also being judged by public opinion, and that judgment was not going well. The company's public-relations department wanted Neukom and the other lawyers to be more accessible to reporters. They worried that even though polls showed that Microsoft was widely admired, in the long run the company would be hurt by the bad press.

"We have the wrong lawyers," a senior Microsoft executive said. "These are antitrust lawyers," he explained. "In most antitrust cases, there are no witnesses. It's all transcripts, briefs." His disdain for Sullivan & Cromwell was matched by his disdain for Neukom's approach to the trial: "He likes to think of himself as a lawyer's lawyer. . . . He's as much a legal nerd as we're computer nerds." This man equated David Boies with "the Johnnie Cochran

school of law, swaying people with emotion," and went on to say, "Normally, you wouldn't hire Gerry Spence or F. Lee Bailey for an antitrust case, but here we should have." Neukom, on the other hand, insisted that colleagues focus on the law; he feared that a public-relations offensive would offend Judge Jackson and might telegraph Microsoft's trial strategy.

The debate became so intense in December that Gates himself got involved. He became convinced, he told me in an E-mail exchange, that the government had turned the case "into a show trial with the primary goal of embarrassing us every day, rather than focusing on the facts of their damaged case. In some ways, when we started this trial, we were a little old fashioned—we believed the real trial was in the courtroom." He told Neukom that Microsoft should be more proactive, and that he should be more accessible to reporters. Yet neither side in this internal battle wished to acknowledge that the person who probably most harmed Microsoft's credibility was Bill Gates. While polls showed that the public respected Gates, the audience that counted in this trial was one person: Thomas Penfield Jackson. A few days before the trial recessed for Thanksgiving, Microsoft's lawyers had received an ominous warning of what Judge Jackson thought about the Gates deposition. Warden had argued that Boies should cease playing the Gates tape in short, excruciating snippets, and just show it all at once. Jackson stared at Warden, rejected his request, and chilled him with these words: "If anything, I think your problem is with your witness."

Perhaps the best news that Microsoft received during the first months of the trial had come from outside the courtroom. Ostensibly, it was bad news. On November 24th, A.O.L. announced that, in exchange for \$4.2 billion of its stock, it was acquiring Netscape and joining with Sun Microsystems to build an Internet service company that could rival Mi-

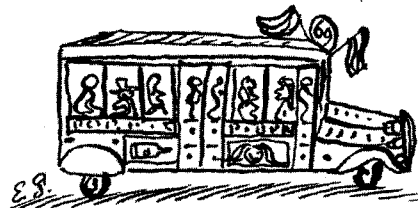
crosoft and I.B.M. The partnerships would bring three Microsoft competitors together into a single potential colossus. Neukom appeared on the front steps of the courthouse and declared, "This proposed deal pulls the rug out from under the government. It proves indisputably that no company can control the supply of technology." A month later, on the afternoon before the Christmas break, Judge Jackson startled the courtroom by announcing that this new alliance "might be a very significant change in the playing field." A sense grew that maybe the trial was dealing with yesterday, while the industry it concerned was being transformed tomorrow, and that maybe Microsoft was as vulnerable outside the courtroom as inside.

Gates suddenly began to show a warmer side. In December of 1998, he appeared, wearing a gray sweater, on "The Rosie O'Donnell Show," and made it clear that he was there to talk not about the trial or about competitors but about his two-and-a-half-year-old daughter—what she liked to have read to her and how she liked to play. He allowed Rosie to break the news that Melinda Gates was again pregnant. He talked about his large house, and he showed off Arthur, a Microsoft talking toy.

In January, he appeared on Martha Stewart's TV program, where he talked about his daughter again and also about Stewart's mother, who, she said, was now on E-mail. "That's fantastic," Gates purred.

Later that month, he travelled again to the World Economic Forum, in Switzerland, and before he made his annual luncheon speech to journalists his handlers instructed the conference spokeswoman, Barbara Erskine, to announce, "Mr. Gates is not prepared to comment on the Department of Justice trial." Before he could hear a groan, Gates stepped forward and declared, "I'll take one or two questions on it, but at some point I'll get tired of it." He didn't tire of it. Although one of his close friends had told me that morning that Gates was depressed and angry about the antitrust suit, Gates himself told a different tale. He was asked if the trial made him angry at the Justice Department. With his left hand on his hip, he said, "No. I don't think bringing an emotional approach to an issue like that is very constructive."

Gates's charitable activities also became more visible. At a dinner given by



Rosie O'Donnell last December in New York, he and Melinda were honored—along with Jane and Michael Eisner, of Disney—by the For All Kids Foundation. The next day, the Gateses held a press conference to announce that the William H. Gates Foundation was making a hundred-million-dollar gift to speed the distribution of vaccines in the Third World. The Gates Foundation and the Gates Learning Foundation had made many generous gifts in the past, but this was presented in a far more public way. Gates is now poised to become America's foremost living philanthropist.

A FEW months earlier, Microsoft had retained Mark Penn, a pollster for Bill Clinton and Al Gore, to explore how Gates and Microsoft could be better perceived as good corporate citizens. An internal Microsoft E-mail exchange suggests that the company had gone to extraordinary lengths not to miss what it called "a public relations opportunity." On February 22nd, David Kaefer, the marketing research manager, sent an E-mail to Barbara Dingfield, the director of community affairs, who reports to Bill Neukom, and to nine other staffers. "This mail is intended to recommend and spur discussion concerning which five or six image attributes we should use to access the effectiveness of our branded philanthropic communication efforts," Kaefer wrote. He then listed "image attributes we have used in past research": approachable, arrogant, caring, greedy, good corporate citizen, only looking out for itself, etc. Kaefer said that a senior executive, Ann Redmond, had asked him to consult experts to "help us arrive at a preferred set of attributes," among which were these contenders:

- Microsoft cares about making a difference in my community
- Microsoft is a leader in good corporate citizenship
- Microsoft's charitable giving improves the lives of many people
- Microsoft is honest
- Microsoft is a company I trust
- Microsoft is a generous and supportive corporate citizen

When the trial resumed, for its tenth week, on January 4th of this year, Bill Neukom seemed like a different person: he mingled with reporters, shaking their hands, and chatting with them about holiday vacations. From then

on, Neukom appeared almost daily on the front steps to field questions.

THE government's last witness, who appeared shortly after the trial resumed, was Franklin M. Fisher, an economics professor at M.I.T., who was known to be David Boies's favorite economist; Boies had first relied on him in 1970, for the I.B.M. case, in which Fisher argued that the computer giant was not a monopoly. Fisher was good-natured but professorial, ostensibly humble but brimming with certitude about economics, intellectually acute but abstruse. He was paid five hundred dollars an hour for testifying in court and also for every hour he had spent in preparation.

Fisher asserted that Microsoft was a monopoly engaged in unlawful practices, because it dominated P.C.s and because it had the power to raise prices at will and because there were barriers on competitors who wished to enter its market. "Computer manufacturers," he testified, "do not believe they have any alternative to the acquisition and installation" of Windows. By bundling and giving away its browser, Fisher added, Microsoft was guilty of classic "predatory" behavior.

Under questioning from the Sullivan & Cromwell attorney Michael Lacombe, Fisher made a startling admission. He was asked if consumers were being victimized by Microsoft, and, after hesitating, he declared, "On balance, I would think the answer was no, up to this point." Neukom smiled. David Boies stoically stared straight ahead, as did Joel Klein. William Kovacic, of the George Washington University Law School, who had been reading the daily transcripts of the trial, later told me that Fisher's admission was "the single greatest testimonial blunder for the government" in the entire trial, ranking with the harm done to Microsoft by Bill Gates's videotaped failure "to tell their story." The real harm to consumers, Fisher hurried to assert, would appear in the future, as Microsoft blocked innovation and raised prices—an assertion easier to make than to prove.

VIII—TRICK QUESTIONS

IT was now Microsoft's turn to call twelve witnesses, many of whom radiated hubris: they would turn the case around for Microsoft; they would educate the Judge; they would prove that

David Boies was a computer illiterate; they would prove that they were smarter; they would take a bow. And indeed, some Microsoft witnesses would score.

Microsoft, however, was not always helped by its first witness, Richard L. Schmalensee, the dean of M.I.T.'s Sloan School of Management. He released an eye-glazing three hundred and sixty-four pages of written testimony, much of it contradicting his former mentor, Franklin Fisher. Pay no heed to the "small mountain of E-mails," to the "speculation" over who might be harmed, he said, for what counted was whether consumers were harmed. They were not, he said; nor was Microsoft capable of exerting monopoly power. Schmalensee, like Fisher, reminded those in the courtroom that economics is not always an exact science. The two "scientists" drew from the same pool of "facts," yet reached opposite conclusions.

With Schmalensee, as with others, Boies demonstrated a basic courtroom technique. "During a cross-examination, David takes a friendly walk down the hall with you while he's quietly closing doors," observed Jeffrey Blattner, who served as Joel Klein's de-facto chief of staff and was in court each day. "They get to the end of the hall and David turns on you and there's no place to go. He's closed all the doors." After allowing Schmalensee to express himself, Boies started closing doors. He approached the lectern, blowing his nose into a paper towel, which he then folded to fit into his back pocket. (He had forgotten a handkerchief.) How long had Schmalensee been "retained" by Microsoft? There was no formal retainer, though he had done work for the company since 1992. (He was paid eight hundred dollars an hour.) Was it accurate, Boies inquired, to refer to him as Microsoft's "house economic expert"? Was it true that Microsoft held a monopoly over operating systems for Intel-based personal computers? The expert witness said that he did not consider this a "relevant" question. After declaring that rival operating systems and such devices as the Palm Pilot posed a "significant" threat to Windows, Boies demanded to know whether the Palm Pilot was a "significant" threat today. Schmalensee retreated, saying, "As it stands, it is not a significant competitor. It is a germ of a potential competitor." Judge Jackson helped keep the witness on the defensive by asking whether the viable operating-system competitors he cited had made

any money. Schmalensee responded, "I would be stunned if they were making a lot of money." Boies's strategy was obvious: if Schmalensee appeared to be contradicting himself, to be splitting hairs, his credibility would be tarnished.

MICROSOFT'S worst moment may have come in the testimony of its executive in charge of Windows, James Allchin. In court, after Allchin piously repeated what he had said in his deposition—that Microsoft combined the products to serve its customers better—Boies produced a December, 1996, E-mail from Allchin to his boss, Paul Maritz, which Boies said he considered one of the most incriminating pieces of evidence among the more than three million pages that the government had collected. As Allchin ruminated about "concerns for our future," the very first of eight concerns that he cited was how Internet Explorer was losing to Netscape Navigator. His solution—which Boies sees as proof that Microsoft was guilty of classic predatory behavior—was wickedly simple:

I don't understand how IE is going to win. The current path is simply to copy everything that Netscape does packaging and product wise. Let's [suppose] IE is as good as Navigator/Communicator. Who wins? The one with 80% market share. Maybe being free helps us, but once people are used to a product it is hard to change them. . . . My conclusion is that we must leverage Windows more. Treating IE as just an add-on to Windows which is cross-platform [loses] our biggest advantage—Windows market share. . . . We should think first about an integrated solution—that is our strength.

In a more publicly devastating move, Boies attacked a Microsoft video that purported to show that a program written by a government computer expert to remove Microsoft's browser caused significant "performance degradation." Boies's technical advisers had noticed that the line at the top of the open window did not say "Windows 98," as it would have if the program had run, which meant that the video did not show what it claimed. Boies stunned Allchin by pointing this out. The

witness still had days of testimony left, but Boies had already won the psychological war game between lawyer and witness.

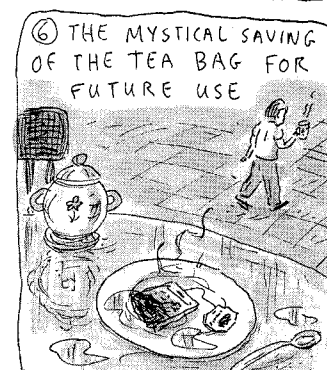
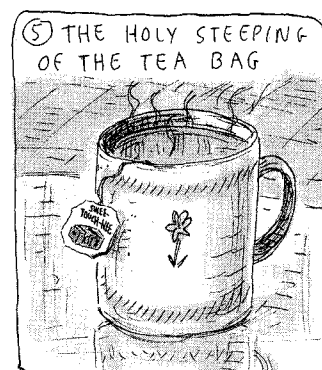
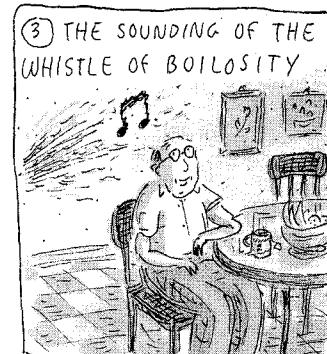
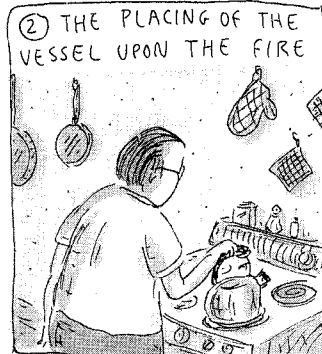
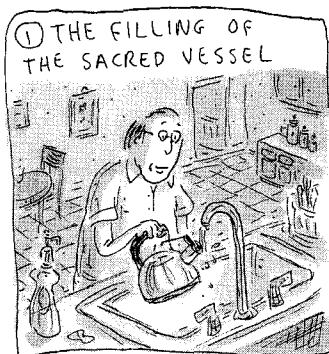
Humiliated, and obviously furious at this mistake, Allchin left the courthouse on February 2nd, his arm shielding his face from cameras. The next day, he endured still another humiliation, when Boies showed that Microsoft's taped demonstration did not rely on a single P.C., as had been implied, but, rather, spliced together footage of at least two different machines. Boies was so psyched for his questioning of Allchin that day that this creature of habit, who usually skips lunch during a trial, asked his wife to bring him a bag of cinnamon-raisin bagels. He wolfed down seven of them while he studied documents in the witness room during the lunch break. At about 4 P.M., when Judge Jackson turned to face the witness and declared, "It's very troubling, Mr. Allchin," Boies knew he had achieved a Perry Mason moment. With Joel Klein and the entire Justice Department team beaming from the spectator seats, Boies abruptly announced that he was finished with the witness. Microsoft's lawyers hurriedly asked for a bench conference with Judge Jackson to

request that he allow Allchin to prepare a new video overnight, which he would personally supervise and narrate.

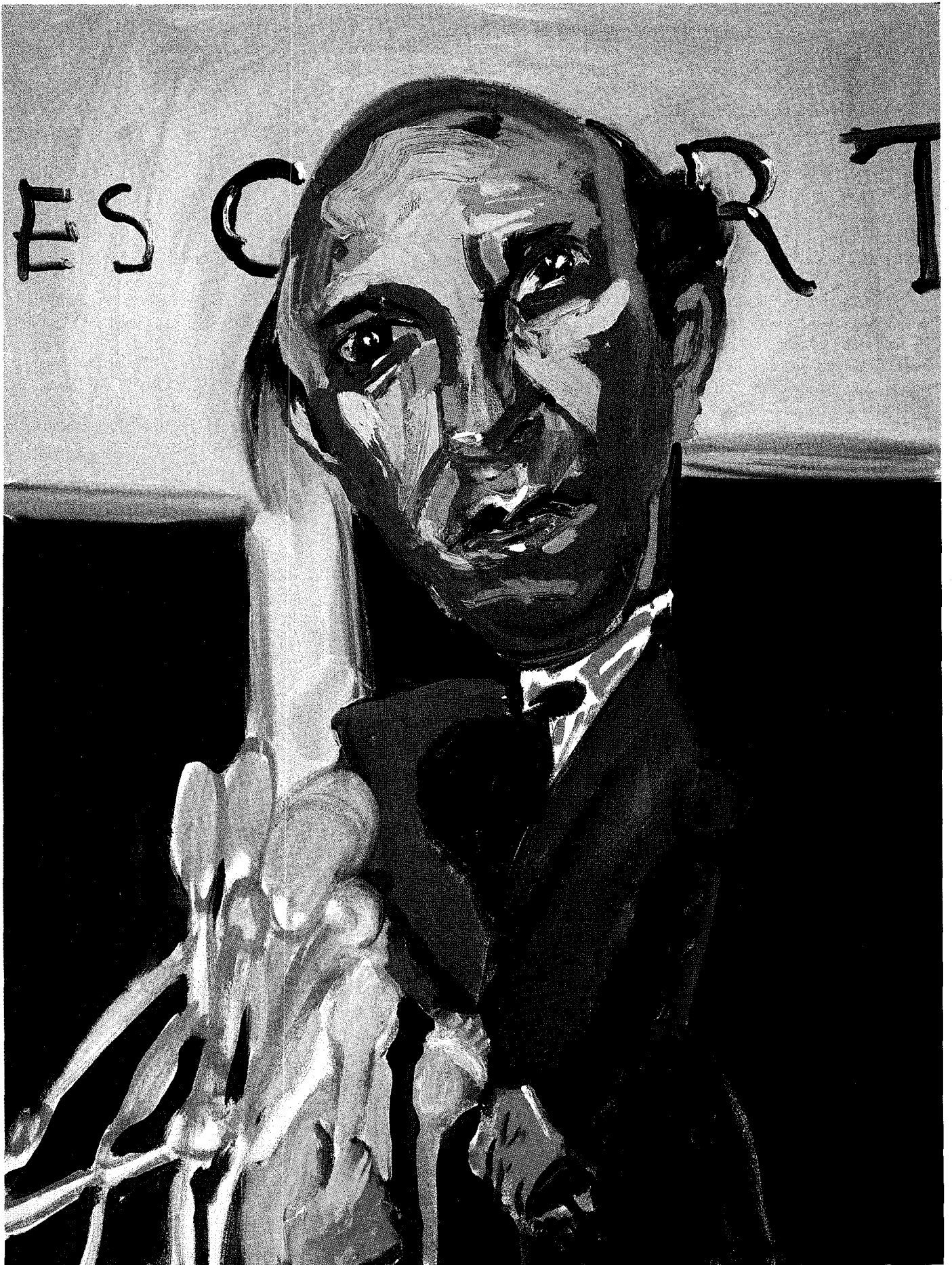
The government got the headlines, but Allchin's testimony was not as bad as it seemed. Of the many claims made by Allchin in his hundred-and-thirty-nine-page deposition, Boies attacked relatively few, and, the next day, in court, Allchin did finally show that the government had wrongly asserted that it could decouple the browser from Windows: it had hidden the browser icon, but could not entirely remove the browser. Allchin had proved his point, but at what cost? Bill Neukom stood outside, cautioning the press not to mistake theatrics for substance. With his hands clasped, he tried to defuse the prosecutorial zeal of reporters, and he spoke lightly of the mishaps: "We make very good software. We did not make a good tape." Nevertheless, the headlines carried one message: Arrogant Microsoft.

Boies was shaky when he questioned William Poole, who had supervised Microsoft's relationships with Internet content providers, such as Intuit. Boies may have been paying for his insistence on personally conducting the cross-examination of eleven of the Microsoft

THE ANCIENT TEA CEREMONY OF ASTORIA



R. Chz



Assistant Attorney General Joel Klein recruited David Boies because he had been through the I.B.M. wars.

witnesses. It was clear that his back was hurting him, for he walked more slowly than usual, and shuffled his feet. Things went better when he began questioning Cameron Myhrvold, the brother of Nathan Myhrvold, who was the chief technology officer; Cameron was a vice-president of Microsoft, and he supervised the division that worked with Internet service providers. He quickly corrected some of Boies's questions, as if he were helping the lawyer better understand exactly what he meant to ask.

Boies then slyly undercut his witness, saying, "Most of my questions are not trick questions. Some are."

"Would you tell me which ones?" Myhrvold asked.

"If I'm going to ask a trick question, I'll raise my hand," said Boies, and both Judge Jackson and Bill Neukom joined in the laughter.

Boies then lobbed a softball. Would Myhrvold agree that Internet service providers like A.O.L. and computer manufacturers were the most important distributors of browsers?

"I've certainly heard that," but it wasn't necessarily true, said the witness.

"Have you heard yourself say that?" asked Boies, provoking laughter as he ostentatiously raised his hand. And at that he asked the witness to look at page 43 of his written deposition, where he asserted a contrary view. Myhrvold then acknowledged that he had been mistaken.

Around this time, one sensed that Bill Neukom's nerves were frayed. When court adjourned on February 9th, as reporters and lawyers mingled, I was off to the side on the courthouse steps, chatting with Blattner. I was taking notes, and I noticed a pair of polished brown shoes attached to long legs suddenly stationed in front of us. It was Neukom, his hands clasped in front of his double-breasted suit, his purple polka-dot bow tie brighter than the tight smile on his face. He just stood there, listening. Blattner was stunned, because Neukom had studiously avoided speaking to him or catching his eye for months. Blattner looked at him, as if to say "What?"

For a moment, they glared silently at each other—Blattner puzzled and Neukom determined. Blattner's sunglasses, thick mustache, and dark hair that falls to his collar no doubt reinforced Microsoft's sinister stereotype of him. Ever since Blattner joined Justice, in March of 1998, Microsoft believed that he had orches-

trated leaks to various reporters, and particularly to those at the *Wall Street Journal*, a claim Blattner denies. Microsoft knew that Blattner, as chief counsel to Senator Edward Kennedy's staff on the Judiciary Committee, had played a pivotal role in the sometimes vicious battle to deny Robert Bork a seat on the Supreme Court. Bill Gates spits out the name "Blattner" as if it were a curse, and on the court steps that day, after staring at Blattner for a long, silent moment, Neukom declared, "This is a public space." He would not move, so we did. On being asked weeks later about this encounter, Neukom said, unconvincingly, that he was not trying to make a statement. "I was interested in knowing what he was talking about," he said. "I may have misjudged his reaction. I didn't mean to make him feel uncomfortable."

Of the twelve Microsoft witnesses who took the stand between January 13th and February 26th, among the least effective was John Rose, then a senior vice-president and group general manager of the Enterprise Computing group at Compaq Computer. A weakness of the government's case, which Justice officials privately acknowledged, was that its lawyers had failed to recruit a P.C. manufacturer to testify against Microsoft. If Microsoft could demonstrate that it had not bullied manufacturers, the government's accusation that it had monopolized distribution would topple. Unfortunately, Rose looked like a cross between Jimmy Hoffa and John Gotti, in a black suit and white, cufflinked shirt, with short black hair combed straight back, accentuating a receding hairline. He shook the hands of reporters on the way in, looking cocky, as if he were accepting congratulations. When he got on the stand, he had a disconcerting habit of smiling at the press section, and when he smiled his eyebrows curled up and his white teeth glistened. Rose insisted that Compaq enjoyed a "frontline partnership" with Microsoft, distinguishing this from the mere "partnership" it had with most other companies. Boies quickly portrayed Rose as a puppy and Compaq as a company that jumped when Microsoft barked.

IX—COULD THEY SETTLE THIS?

OVER a late dinner in a Georgetown restaurant in mid-February, Bill Neukom took off his tie and tried to relax. The witness phase of the trial was

almost over, and he was still certain that the government had not proved its claims and that Microsoft would triumph. Why, then, I asked, was there such a disparity between what he saw and what the press reported?

"It's a combination of things," he said thoughtfully. "First, the technology at the heart of this case is so complex and changing so rapidly that even the top players in the industry can't predict for certain where it will go next. So it has been a challenge to put the government's accusations into a proper industry context for reporters. Second, a civil trial in federal court is not a completely intuitive, spectator-friendly theatre. It's not designed to be engaging to the gallery. It's pretty dry stuff, frankly. Third, the Sherman Act is a very short couple of paragraphs interpreted by federal courts, and it's much misunderstood. Some people want to believe that the Sherman Act is a sort of competitor-protection act. . . . That's not what the law is. The Sherman Act recognizes some competitors inherently have advantages over others, and it encourages rough-and-tumble competition so consumers get the best product at the lowest price. When you couple that with an intellectual-property business like ours, you have a fourth level of complexity."

He continued talking: "Add to this deadline pressures. Our defense by its very nature was complicated and extremely dense with facts and economic analysis. We think the government's case has been short on facts but long on theatre. The press has worked very hard . . . but given the deadline pressures, it's no surprise that the theatre often won out over the dry substance in the daily coverage."

Nor has Microsoft been deft in its dealings with reporters. Nearly every Microsoft executive who sits for an interview, either in D.C. or on the Redmond campus, is accompanied by someone from public relations. "My shadow is joining us for dinner," a Microsoft official announced one evening. At dozens of interviews on the Microsoft campus, someone from the public-relations office was always present, scribbling furiously, and sometimes interrupting to suggest that a question was out of bounds. The P.R. staff, in its best, no-surprises mode, prepared dossiers on reporters: a multipage memo would be sent to those about to be interviewed, offering glimpses of the journalist's bio, his or her alleged biases,

beliefs, conflicts, friendships, and the questions that the reporter had asked in prior interviews. Before one of my visits to Redmond, John Pinette, a former Catholic priest, who would be my pleasant but omnipresent shadow, internally E-mailed a three-page, single-spaced document, much like a raw F.B.I. report, to people I would be interviewing. The memo asserted, for instance, that "David Boies and his wife are very close with Auletta." I had never met Mary Boies before Justice filed this case, and I knew Boies himself only superficially. Some excerpts:

Our objectives in having you meet with him are to portray the company as still faithful to its fundamental vision—and working hard for customers. . . . Ken wants to know if we are demoralized, and we want to show people who are excited about the contributions they're making. If they're paranoid about anything, it's not the trial, but the competitor's latest development that could make their product obsolete. This is the human side of Redmond. Good people (genuine, positive, forthright) with good motivations (wanting to make a contribution vs. greed or anti-competitiveness).

Your approach to this interview . . .

If he thinks you're just stating the party line, you will lose credibility in his eyes. Be sincere. It's okay to acknowledge that we can always do better as a company.

At the end of one of several visits to the Microsoft campus, I asked Pinette why he took such voluminous notes and what he did with them. He evasively said they provided a record of what each interviewer said, so that when the reporter's piece appeared in print Microsoft could rebut any inaccuracies. Months later, after I had seen Pinette's E-mail, I asked him, "Why are you folks so controlling?" He replied, "Indeed, it is a very aggressive approach to preparing people for interviews." I asked where he'd heard that I was "very close" to the Boieses. "I saw it in another document written by someone else in P.R.," he said.

ON February 26th, after Microsoft's final witness completed his testimony, Judge Jackson recessed the trial, for what turned out to be thirteen weeks. During that period, pressures on Microsoft to settle intensified. Intel, on the eve of a March hearing, had suddenly reached an agreement with the Federal Trade Commission. Although the charges against Intel were narrower than those lodged against Microsoft, the two sets of charges were alike in

that other companies in the industry needed access to the architecture of both the dominant chip maker and the dominant software company in order to design products that meshed.

In early February, Judge Jackson had held an unpublicized closed-door meeting with the parties. He told both sides that it might be better for all concerned if they settled the case instead of waiting for an imposed settlement. Then, in a status conference in his chambers on March 31st, Jackson told the lawyers that he had a new trial schedule: each side would be permitted three rebuttal witnesses, after which the court would recess for thirty days while Microsoft and the government prepared briefs setting out what they believed to be the incontrovertible facts of the case. Then would come final oral arguments, followed by a findings-of-fact ruling by the Judge. During another recess, each side would prepare a brief on how antitrust law applied to this case. Then would come more oral arguments, and after them a conclusions-of-law ruling. By splitting the facts from the law, which both Boies and Warden said was innovative, Jackson would inevitably prolong the trial. The less obvious consequence was that this schedule put pressure on both sides to settle, since the Judge was now going to begin showing his cards.

During the recess, a subtle but important shift took place in Microsoft's attitude regarding a negotiated settlement. Throughout the trial, a Microsoft insider admitted, Microsoft had thought that it would lose some and win some in this courtroom and win everything on appeal. By splitting the findings of fact from the findings of law, however, Jackson had altered this core assumption; now it feared that its chances of winning everything on appeal were more tenuous. Microsoft was now prepared, the insider said, to cut its losses. In secret meetings with Joel Klein, on February 24th, March 30th, and in the first week of June, Bill Neukom submitted discussion drafts that indicated more flexibility. Microsoft had submitted three different draft versions of a proposed settlement, but the Justice Department had rejected such a settlement as

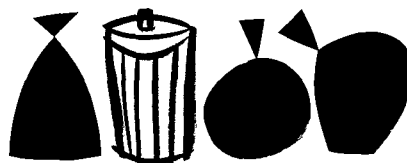
unsatisfactory. "We're running out of runway here," a Microsoft executive said then.

When the trial resumed, on June 1st, neither side would succeed in altering the trial's dynamics. When the last rebuttal witness had finished, on June 24th, Judge Jackson called another recess. Before doing so, he announced that he was directing each side to prepare by August 10th a brief specifying what they believed to be the incontrovertible facts of this case. "All right, gentlemen," Jackson said with a smile. "It has been almost all pure pleasure up to this point. Let's keep it that way."

X—IN SEARCH OF BILL GATES

DURING the spring recess, I went back to Microsoft to see Bill Gates. Among the forty-five buildings on the Microsoft campus, Gates's office, in Building 8, is unusual: its floors are carpeted and, compared with other offices, it is vast. At any other Fortune 500 company, it might house someone of the rank of, say, vice-president for community relations. Gates's office has few personal flourishes: the desk is a slab of plain oak, and the only pictures on a wall are two framed covers from *The Economist* given to him by his sister Libby—a diagram of an Intel chip and a chart describing the bandwidth of various radio frequencies. The P.C. was a Toshiba laptop with a docking station and two oversized monitors (one screen is separated into four quadrants, which stream information from selected Web sites all day). There is a gray couch and four chrome-based green-and-blue wool-covered Breuer-style chairs around a square maple coffee table. On a credenza rest several family pictures.

On the day we talked, in late May, Gates wore a handsome, royal-blue open-necked dress shirt buttoned at the sleeves, and with "WHG" embroidered on the chest, navy slacks, unpolished black loafers, and clear-framed oval eyeglasses. His skin was the color of eggshells, as if he had spent too many hours indoors. His hair was unwashed, the bangs chopped near the roots, as if by shears. The previous afternoon, Melinda Gates had given birth to their second child, a son, and Gates had spent part of the day at the hospital. That afternoon, Microsoft would announce the birth, yet Gates

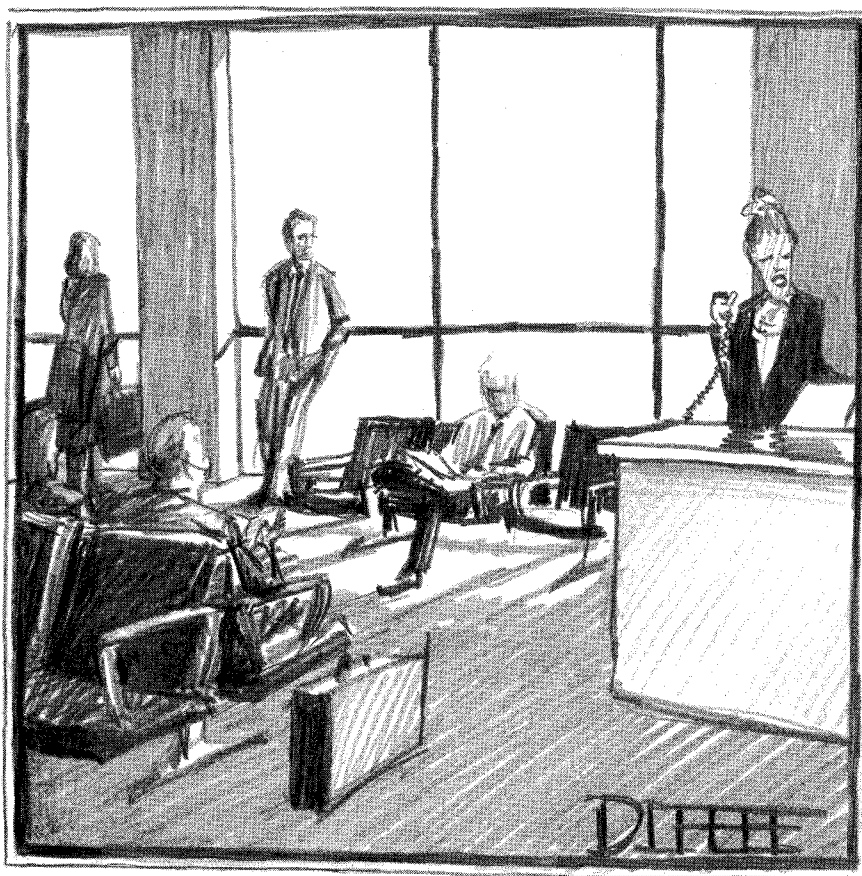


said not a word about it to me. Upon greeting me, he plopped onto a chrome-based chair, folded his arms across his thighs, and began rocking rapidly back and forth, slapping the carpet with the soles of his loafers as he came forward and creating the impression that his body was a metronome.

Gates has often been compared with another great business figure who ran afoul of the government, John D. Rockefeller. Both enjoyed a market share of more than eighty per cent, made huge investments in R. & D., were generous philanthropists, were messianic in their belief that their business served the public weal, were not concerned with yachts or creature comforts, although they did enjoy extravagant homes. Each understood the underlying value of his business. Rockefeller knew that more money was to be made in processing oil than in drilling for it; Gates knew that more was to be made in creating software than in building hardware. And each endured a costly trial against the government that might have been averted had he been more flexible. The differences between the two men were also great, however. Rockefeller was scorned by the public, whereas Gates remains an icon of innovation for a majority of Americans. Rockefeller's Standard Oil dominated a scarce resource and the means of distributing it, whereas the intellectual property that Gates owns is not scarce, and a distribution system like the Internet can hardly be controlled.

The official line at Microsoft is that the trial in Washington, D.C., is "white noise"; everyone in Redmond, it is said, is focussing on business. But Gates is as agitated today about what he sees as the ludicrousness of the government's case as he was a year ago. "If you have talented people doing the right thing, the shares—the position of the product—can be changed," he said. "That's why we invest so much more in R. & D. every year. . . . Even with all the great people we have, we face probably more intense competition now than ever before. Only in a courtroom can somebody say, 'Hey, Linux is a serious competitor,' and the press laughs in a way that makes the judge think, O.K., that must be a false statement, that must be posturing."

In discussing with Gates what he sees as the great gap between the world of Washington and the business world



"Attention passengers. Flight 369 has been cancelled due to our desire to ruin your life."

he inhabits, I asked him if he felt another sort of disconnection when the Justice Department told him that he and Microsoft had done bad things and when he felt that he had done good ones. Did he sometimes feel, as a friend had said, like Joseph K.? "I don't know Joseph K., sorry," he said. On being told that Joseph K. was the main character in Franz Kafka's "The Trial," Gates said, "He sounds like my kind of guy!"

Turning to the charges presented against his company, Gates said, "Let's look at what actually happened. They went in saying that the consent decree banned us supporting the Internet, putting the browser capability into the operating system. They said, black and white, 'Hey, all you have to do is delete these files and this pie here will be eliminated. So issue an order telling them to delete these files. It's that simple.' Well, it wasn't." He continued, "Our guy goes in, testifies under oath, 'Hey, if you delete those files that thing does not boot right.'" Nevertheless, Judge Jack-

son, in December of 1997, had ordered that the browser and the operating system be untied. "Where did that all end up? The appeals court was very clear: the consent decree does not touch on this, what's gone on here, in any way." He cited as equally satisfying the appeals court's admonition that government should not attempt to design software products.

Yes, there have been discussions with people at the Justice Department about a possible settlement, Gates said, but talking with them is frustrating. He explained, "We keep trying to get them to articulate what features under this new law they're trying to create—what features we are allowed to add and what features we are not allowed to add. And we say . . . in any discussion we have with them, 'What is your principle here? How should we have known that you would think supporting the Internet is a bad thing?' And we say to ourselves, 'It's the most defensible feature that we've ever added in.' . . . Didn't we create the product that won all the reviews? Didn't we

create the product that people didn't have to pay extra for? . . . Somebody who was paying attention, they would know to laugh!" In the real world, he continued, Netscape is bought for billions of dollars. Yet in a Washington courtroom the government cries that Netscape has been foreclosed and Microsoft has killed Netscape by offering a free browser. "What the heck logic is there behind this?"

I asked if he regretted not having settled in May of 1998. "I wish we could have settled," he said. "I wished that at the time. I wish that now. Look, I'm not in this thing to prove some principle. Thank goodness, there are some principles and some laws in this country about how things are done. We've always wanted to settle this thing." The stumbling block, he said, was that he couldn't go back to the government for permission each time he wanted to add a new feature, just be-

cause a competitor like Netscape whined about the added feature. "You have to have a business left when you settle," he said. At that moment, he saw no way out.

I asked Gates how he assessed the job that his legal team was doing. He rocked back and forth in his chair several times before answering, then talked about the five-year legal battle with Apple: "We went through a lot on that one," including a bad press before the victory.

He hadn't answered the question, so I asked it again.

"Well, there's a lot of things about this that they don't control," he said. "They don't control the leaking of the government." Then he said, "I haven't been back there at all," and only "meet with the lawyers from time to time." Then he trailed off.

"Do you think they've done a good job in the law?"

Again, there was a long pause before

he replied. Then he said, "Well, as far as this case goes they've certainly proved that Netscape was not foreclosed. And they've certainly proved that there are immense benefits to developers and users of our putting these Internet features as well as other features into the product. They've done a very good job establishing those things. And those are the issues at hand."

I then asked what he admired about Bill Neukom. There was a pause of about ten seconds before he answered. Then he said, "He's a very good lawyer himself and he also brings in, both into his department and through outside relationships, people with a lot of expertise." He paused, thoughtfully, then continued, "I myself am not a lawyer."

Gates was unhappy about the broad brush applied to him and to his company, and he pressed me to take one fact—one incident from Intuit, Intel, I.B.M., from "all this mud that's been slung"—and find out whether it really demonstrated bad behavior by Microsoft.

What about coercion, I asked—the charge that Microsoft muscled Intel to stay out of the software business?

"I don't know what muscle means," he said.

What if his daughter came to him some years hence, I suggested, and asked, Dad, how do you explain some of these E-mails and things like the threat to cut off Netscape's air supply?

Gates was composed, but he answered in a shrill voice. "A great lie! A great lie!" he cried out. "An unbelievable lie!" It was secondhand hearsay, he said. His voice rising, yet better controlled, he went on, "Did anyone utter those words? Our E-mail, every piece of it has been searched. I wish we *had* found somebody who had said it. Then we could take him out, and we could hang the guy, then we'd say, 'O.K., mea culpa. We found him—the guy who said, 'I'll cut off your oxygen.''" First of all, there's no law against saying that. Second of all, I never heard anybody say it. Third of all—hey, if there's any company that would know damn well whether it was said or not, this is the company. Every piece of E-mail I have ever sent for the last ten years has been read and read, and if there is any way that people can misconstrue any statement that I've ever made it has been done. You look at any E-mail sent by me or received by me, and tell me what



"Don't you dare put Mommy on hold again."

is it you think is at all inappropriate?"

What about his offering a million-dollar "favor" to Intuit if it chose his browser over Netscape's?

"The fact that I was willing to put a million dollars into joint marketing, a million dollars into helping them do the engineering, just shows I was desirous of getting them to exploit our technology," he answered. "And what's wrong with that? This is the kind of thing that blows the mind! Yes, I was so anxious to have them show off" the new features of the I.E. browser, which Netscape's browser did not have. "How can that be characterized as something inappropriate? If I hadn't offered that million dollars, you'd have to say to me, 'Bill, are you doing your job?'" Besides, he lamented, it's all a moot point: "no such thing ever happened," since Intuit declined.

When I asked Gates about the ethical dimensions of Microsoft's hardball tactics, he replied, "There is nothing I want more than to find something to do a mea culpa on. The fact that we're so successful, people really do want to know that we're behaving responsibly, in terms of how we work with partners, how we work with customers, how we think about things in long-term ways, and I believe Microsoft has been exemplary in those things. Go ask the analysts how Microsoft behaves with them in terms of the integrity of the information. Go ask some of our customers. You take our relationship with Apple. This is a company where, during the time they sue us to try and put us out of business, who was developing more software for the Macintosh than anybody else? They're not letting us get the [Mac Operating System] information. They're discriminating against us. They're doing joint marketing with all of our competitors. Just mistreating us every single step of the way. We're always trying to figure out some way to help them, to work with them. The notion that somebody could misconstrue those negotiations with Apple! We did something incredibly valuable to them. We invested in the company where people had lost faith in Apple. We renewed our commitment to do all these new versions of software at a time when that was very important to them." What people misunderstand, he continued, is that Microsoft's belated discovery of the Internet was really what drove it to bundle the browser and to focus more on Netscape. "We were slow. We hadn't

recognized the importance of it. And this trial, in a sense, comes out of that."

By early August, there had been no further contact between Microsoft and the Justice Department, and both sides privately agreed that if settlement talks were ever to get serious this would probably not happen until the fall, around the time of Judge Jackson's first ruling on the findings of fact. Microsoft received good news in July, when a Connecticut jury found in its favor in an antitrust suit brought by Bristol Technology which raised some of the same arguments as the Department of Justice. No matter how Jackson rules, though, Microsoft may lose even if it wins in court. Some people suspect that the case will rob the company of the drive and the passion that have contributed to its extraordinary success, as the I.B.M. case did. The shift within Microsoft could be seen in April, when Steve Ballmer said at a conference that the company might consider opening the source code to Windows 2000. "That could be significant—if they meant it," Boies told me during the recess. "It might change the remedy." He meant that if Microsoft lost in court the government might be less inclined to seek a "structural" remedy—like breaking up Microsoft—provided that Microsoft adopted a "behavioral" remedy.

Still, the government will always dog Microsoft, as will the more than three million documents that the Justice Department collected for the trial. As Gates saw it, "No matter what the outcome the lawsuit is a bad thing. The costs to the company and the taxpayers have been huge. The last thing any company wants is to be sued by the government." One reason for this is that any finding against Microsoft which is upheld on appeal might be used against the company in future lawsuits. Greg Maffei, the senior vice-president who is the chief dealmaker for Microsoft, said, "There's not a deal we were stopped from doing. Maybe subconsciously we shied away from things." What they now seek to avoid, he admits, are deals that the government can delay. Inevitably, Microsoft may come to second-guess itself. "I worry that it will make the whole industry more defensive," said Charles Simonyi, the chief architect at Microsoft Research, who fled Communist Hungary in 1966 and be-

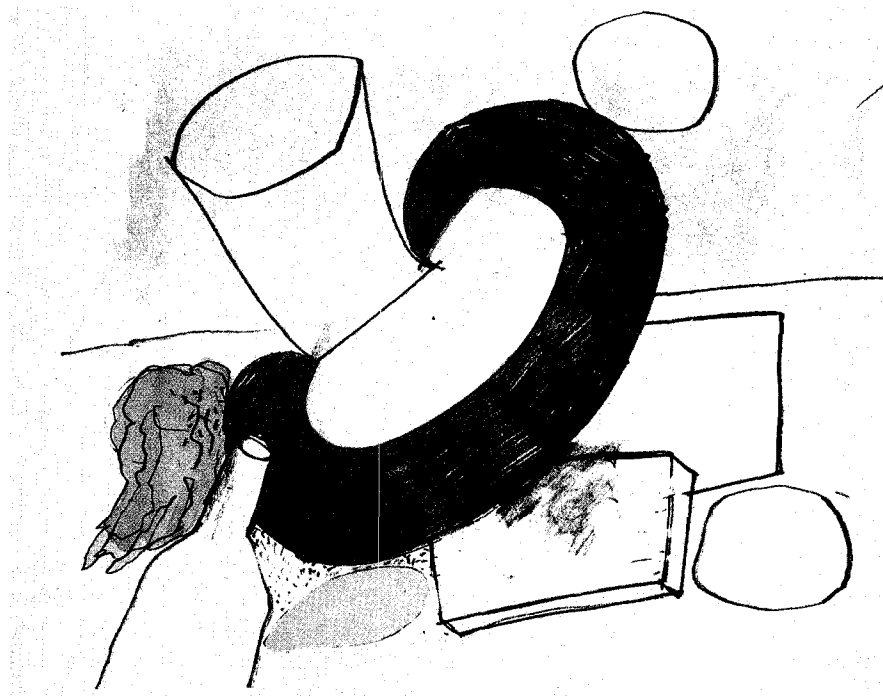
came a leading figure in the computing revolution. "I grew up in a society where people are afraid of talking. Now you worry about your E-mail. People say, 'Delete your E-mail.'"

Because of this trial, competitors and also former allies will more freely challenge Microsoft. While Jim Allchin remains, in his words, "super hard core" in his belief that Microsoft is fighting to innovate and thus serve the public good, he acknowledged that "the negative P.R. we've endured" may "embolden competitors." Rob Glaser, of RealNetworks, said, "We've sort of reached glasnost at this point, regardless of the outcome of the trial. In the past, a lot of companies did things because of an aura of fear or an environment of intimidation, whether or not there was actual intimidation by Microsoft. That's forever changed."

Perhaps all of this could have been avoided, but Microsoft, despite its rhetoric, was not truly hard core when it came to the antitrust battle. If Bill Gates and his company had been as ruthlessly practical as they insisted they were, they would have settled the case before it went to trial. But to Gates settling would also have meant settling for something unacceptable: a surrender of control over his company's intellectual property. As it turned out, Microsoft made a strong case that it had not harmed consumers, but Boies persuasively argued that the company had mugged its competitors. In the end, Microsoft mugged itself.

Now the company is taking its political problems far more seriously. Gates, who once told me that you don't need "a lot of political protection to be allowed to innovate," has hired top Washington lobbyists and substantially increased campaign contributions to both major parties. Around the time that the trial adjourned, he appeared before the Senate's Joint Economic Committee to talk about the future of the Information Age. A year earlier, after testifying matter-of-factly before the Judiciary Committee, he had rushed from the hearing room. This time, with hair neatly parted, he replied graciously to even the dimmest questions. "You've raised an interesting issue," he said repeatedly, and then he worked the room, bestowing "Hi, nice to see ya" handshakes on senators. It was as if Gates now understood that Microsoft, like the software that had made him rich, needed an upgrade. ♦

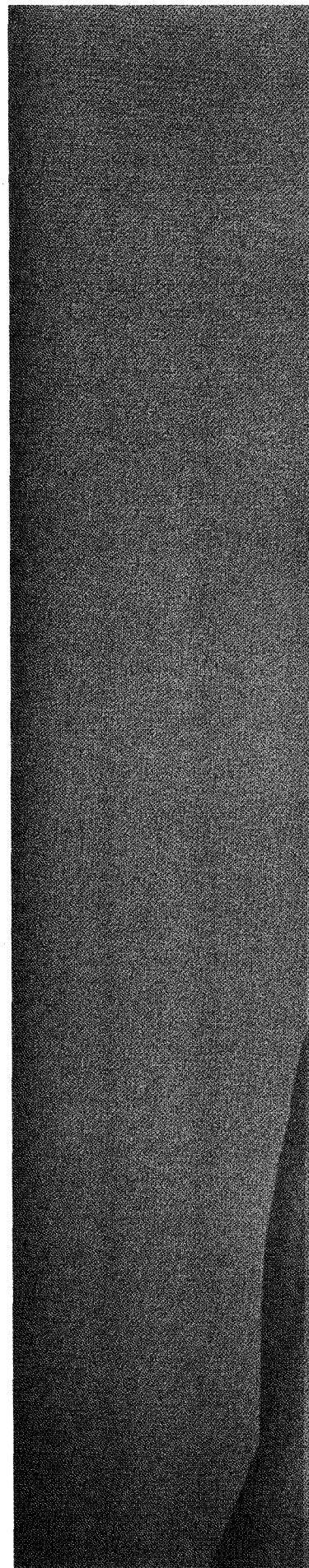




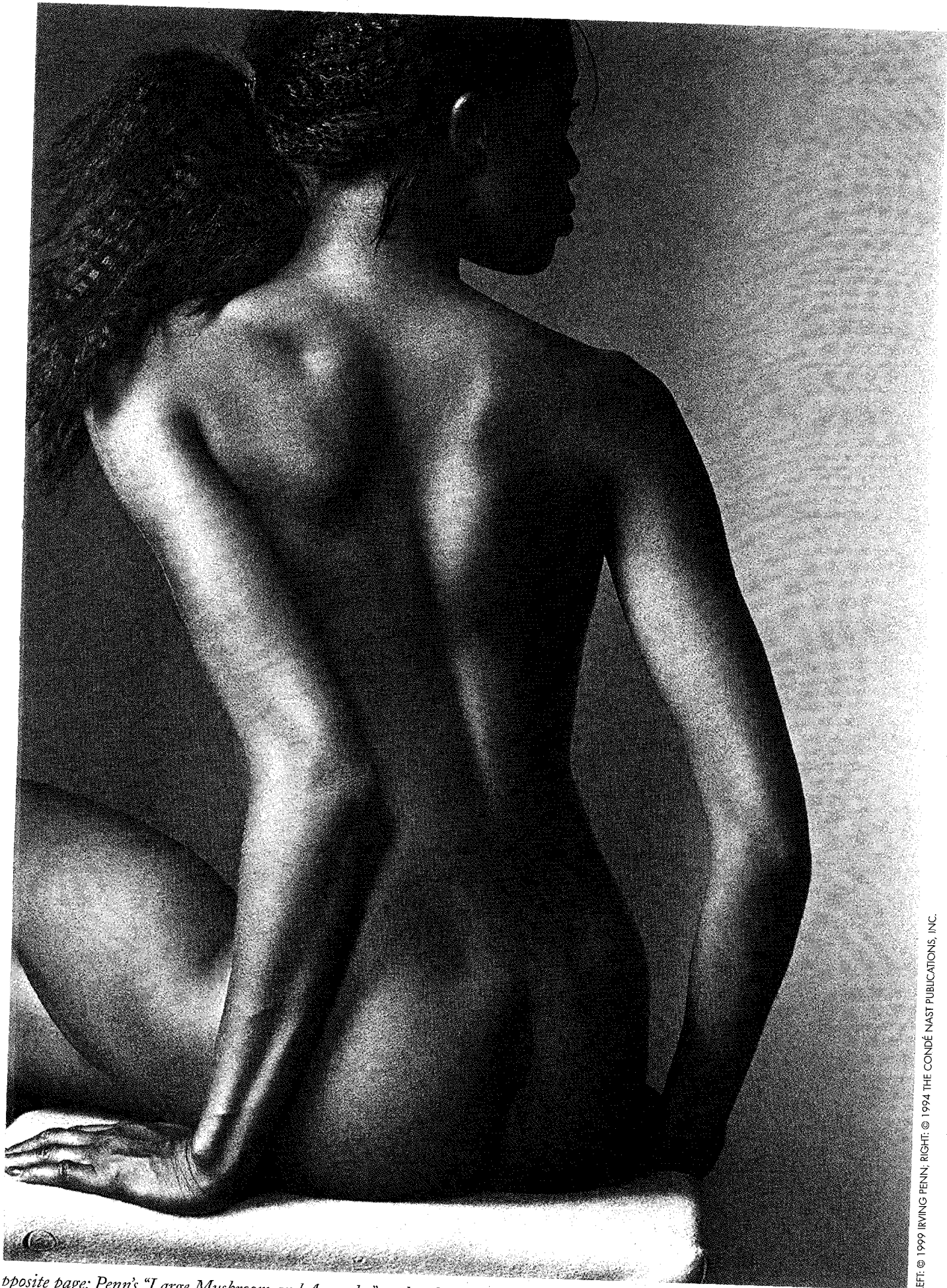
PORTFOLIO BY IRVING PENN

VARIATIONS

SOMETIME in 1964, I realized that I was victim of a printmaking obsession," Irving Penn wrote some years ago in "Passage," a retrospective collection of his photographs. "Over the years, I must have spent thousands of hours silently brushing on the liquid coatings, preparing each sheet of paper in anticipation of reaching the perfect print." He is still doing this, at the age of eighty-two, sometimes getting up in the middle of the night to check on prints that he left to dry when he went to bed. Of course, at some point Penn has to stop experimenting and choose an image. That such a choice is not definitive is the idea behind "Process," an exhibition of Penn's work that opens at the Pace/MacGill Gallery in New York early next month. Different prints of the same negative are displayed side by side. For a series called "Test Materials," Penn has salvaged fragments of discarded platinum prints from his workroom and taped them onto thirty-by-twenty-two-inch panels. In one of them, George Balanchine and Tanaquil LeClercq lean out of a strip taken from the 1948 "Ballet Society" portrait. S. J. Perelman's glasses are recognizable below them, above a truncated version of a 1979 still-life of a skull, a pitcher, and a bottle



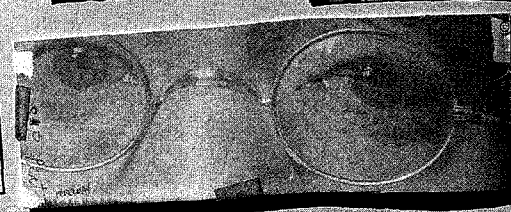
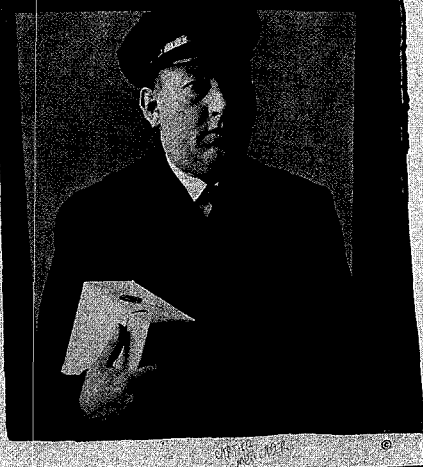
"Naomi Campbell, New York," 1991



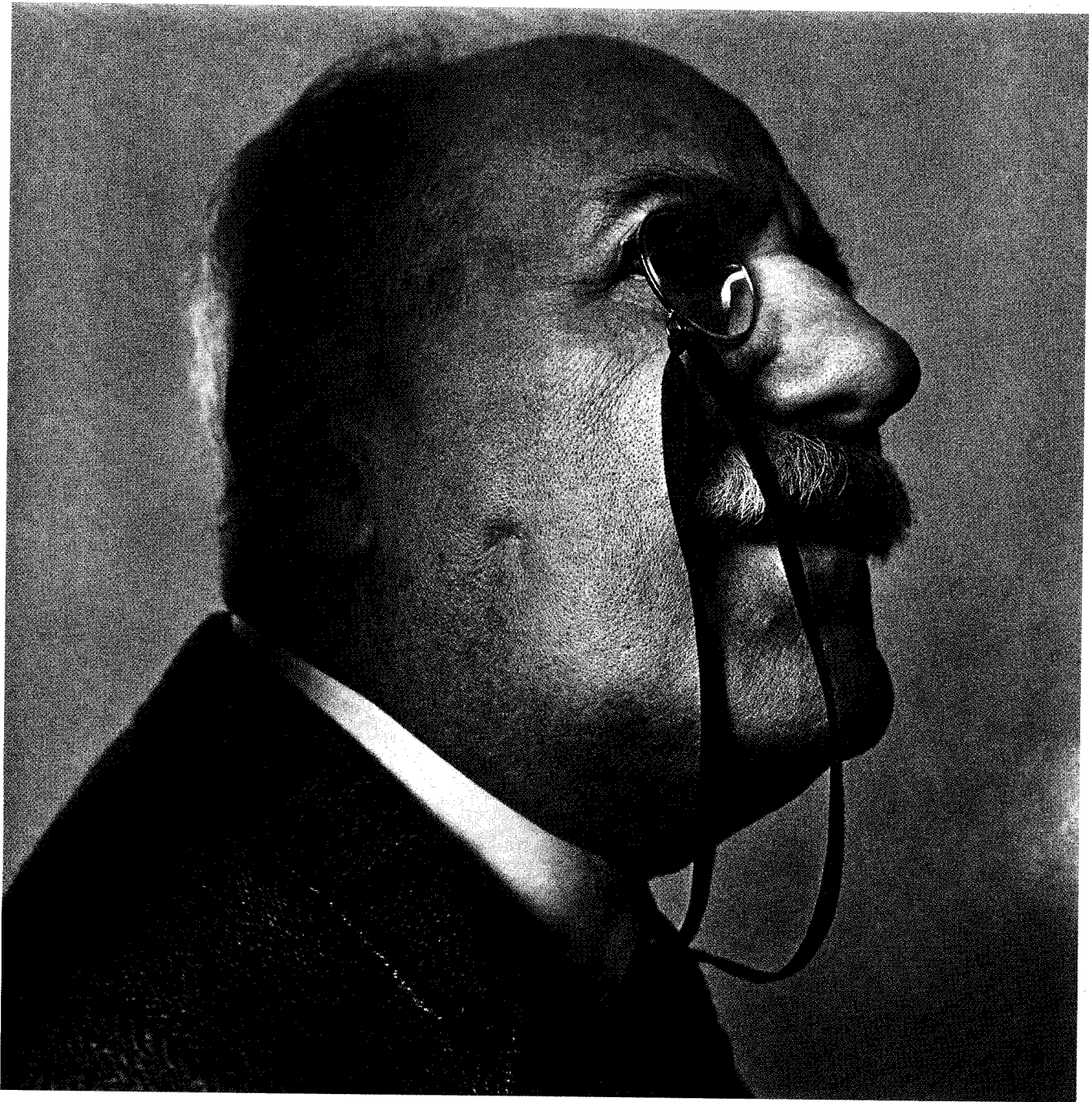
LEFT: © 1999 IRVING PENN; RIGHT: © 1994 THE CONDÉ NAST PUBLICATIONS, INC.

opposite page: Penn's "Large Mushroom and Avocado," undated pencil drawing; platinum print and watercolor on paper, 1995.

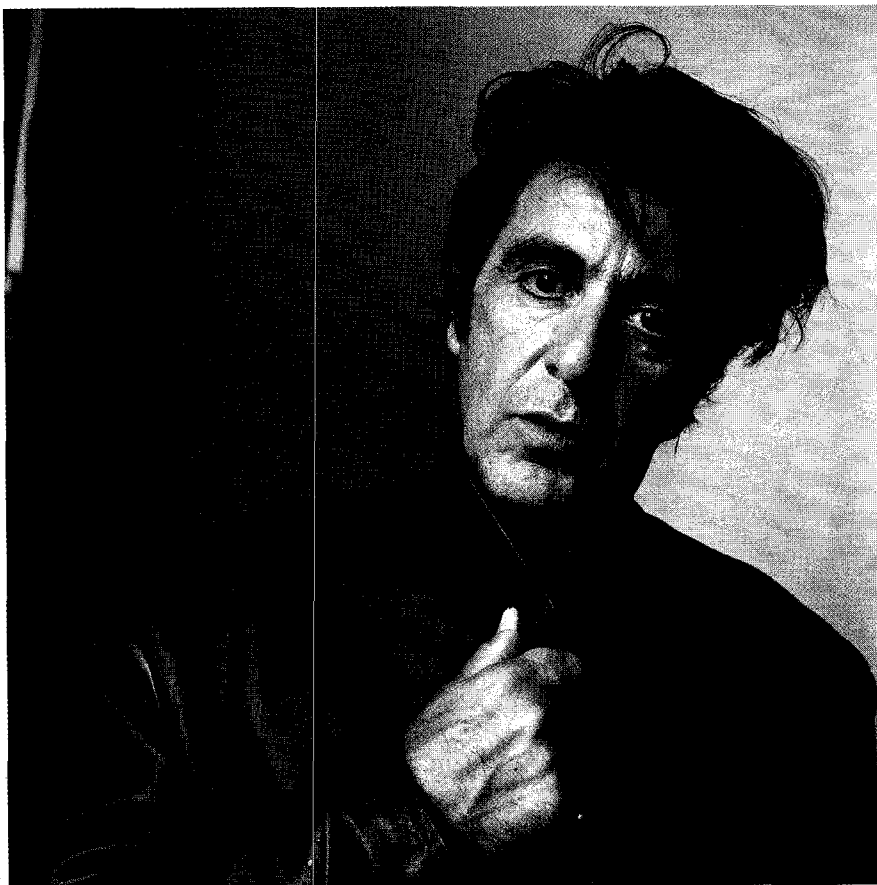
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EST. 1900 IRVING PENN. BIGHT. © 1944 IRVING PENN. COURTESY VOGUE



"Barnett Newman (B), New York," 1966. Opposite page: "Platinum Test Material, 10/17," 1989.



of cologne. One of the Cuzco Indian portraits from the late forties is juxtaposed with other bits of fashion and portrait work. The panel is a reflection on form, which is Penn's other longtime obsession. The heads, the pitcher, the eyeglasses, the round Indian mother with her child make up a group of ovals.

Alternative versions appear in another exhibition of Penn's work, "New and Unseen," which will run nearly simultaneously with "Process" at the PaceWildenstein gallery. The show includes a variant of the well-known photograph of the painter Barnett Newman that was made for *Vogue* in 1966. In the famous version, Newman is holding a cigarette and staring severely at the camera. He seems skeptical, critical, a little terrifying. In the variation, he has turned slightly to the side, his cigarette is gone, and a scar on his cheek is now a prominent feature of his head. He seems vulnerable, thoughtful, a little strange. Another photograph in the show, "Chanel Feather Head-dress," from 1994, is a variation on a photograph Penn took forty-five years earlier. In 1949, a few months before he married the model Lisa Fonssagrives, he photographed her as "Woman in Chicken Hat." In both photographs, an improbable concoction of feathers spills over the head of a beautiful woman and onto her left shoulder. In the more recent photograph, which was taken two years after Fonssagrives's death, the feathers cover the woman's face like a thick, ominous black veil.

—SHARON DELANO



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"Chanel Feather Headdress, New York," 1994. Opposite page: "Al Pacino (A), New York," 1995.

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IT was true that Judge Martin Vacek had dealt with a number of political cases under the old regime, but, as he was only five years away from retirement age, it was suggested that from now on he should deal exclusively with divorce cases (which, in any event, is what he had done when he first came to the bench). He considered this to be an acceptable, even sensible, proposal. He could, of course, have left the bench altogether, as several of his colleagues had, and set up privately as a barrister, which was far more lucrative. But he was conservative by nature and had no wish to alter his daily routine or his regular journey to work, let alone start looking for and equipping private offices. Nonetheless, he consulted his wife about what he should do.

He had been married for thirty years and had stopped loving his wife, Marie, long ago; in fact, he could no longer remember a time when he actually loved her. Nevertheless, they got on fairly well together. His wife, who was a year older than he, came from the country and had only an elementary schooling; she had spent her life working at the post office

FICTION DIVORCE

BY IVAN KLÍMA

for paltry wages. She did, however, have a natural wisdom, unspoiled by legal training. Marie had plainly stopped loving him years ago, too, but she looked after him almost like a mother, cooking him good meals and making sure that his shirts were ironed and that he always had a suitable tie to wear with them. In the course of their life together, she was bound to have influenced if not his character then at least his appearance, and since they both favored the color gray their very features gradually began to take on a gray cast, too.

In recent years, each had come to regard the other as an indispensable part of the household, particularly now that their two sons had grown up and

moved away and the apartment felt empty, although it was crammed with all sorts of useless objects and knick-knacks. They barely spoke anymore, but there had been a time when they went out together to the cinema or to concerts (it was the done thing for someone in his position to have a season ticket for the Philharmonic), or Marie would tell him about the novels she was reading. Nowadays, though, they simply exchanged a few words about food, shopping, their sons, or the weather, or else they watched television together in silence. It therefore came as a surprise to Marie when he asked her whether he should remain on the bench or start something entirely new. It was not her custom to contradict her husband, and in the past when he had asked her opinion she had always tried to guess the reply he wanted to hear. "Divorce suits," she now said. "That could be fairly interesting work. You'll get to hear lots of stories."

It had never occurred to him to view his possible future employment from such an angle. He had heard so many stories in his lifetime that they had long since ceased to engage him. Nonethe-

less, he took his wife's opinion into account and remained on the bench.

As it turned out, the cases tended to be more banal than interesting. In most of them, immature men had married young women who yearned for something that their husbands could not provide, and so in time a third person came along who disrupted what had never been firmly established in the first place. Even so, his rulings—on grounds of infidelity or mutual incompatibility—were often met with tears, and Martin could never rid himself of the conviction that most of the divorces were unnecessary, that people were attempting to escape the inescapable: their own emptiness, their own incapacity to share their lives with another person.

THERE were so many cases that they soon became indistinguishable, and even the people's faces slipped quickly from his memory—which was beginning to decline with age anyway. Now and then, however, an intriguing case would crop up, and a face, a name, or an occupation would stick in his mind.

After one such sitting, he emerged from the courtroom and found the woman to whom he had just given a divorce sitting on a bench in the corridor, crying. The woman's name was Lída Vachková, a name that had caught his eye because of its resemblance to his own, quite apart from the fact that the woman's distinctive, delicate beauty and her timid replies to his questions in court had held his attention. He attributed her delicacy to her profession; she was a violinist. Although it was uncharacteristic of him, he stopped in front of her and said, "Don't cry, Mrs. Vachková. No pain lasts forever."

She glanced up at him in surprise and quickly wiped away her tears. "Thank you."

As she got up, she started to sway and he was obliged to catch hold of her. "Are you feeling unwell?"

"Do forgive me," she said. "I took some tablets this morning. To calm my nerves."

He invited her into his chambers and got her a glass of water. He knew not only her name and occupation but also her age. She was twenty years his junior, very young, in his eyes, at least. He also had met the man who until a short while ago had been her husband. The husband, too, was older than she was (al-

though at this moment Martin couldn't recall exactly how much older) and ran some recently established entertainment agency. A vulgar, unpleasant-looking fellow, he had apparently subjected his wife to rough and domineering treatment and had tried to curb all her enthusiasms. There were no children. They had had no problem agreeing on the division of their property—there wasn't very much anyway. She kept the apartment and he moved in with his mistress.

"Do you really believe no pain lasts forever?" she asked.

"Of course."

"Did you ever have a pain that went away?"

He was not accustomed to being cross-examined and was taken aback. He had to stop and think for a moment whether anything in his life had caused him a pain that had later gone away. On the contrary, things in his life had tended to fade gradually, without hurt. Then he recalled the death of his parents. "Even the pain of death eventually goes away," he said evasively.

"That's true," she conceded. "Though death is a rather special category."

"What makes you think so?"

"Death is like the law. There is no escape from it. Whereas love..." She seemed to be searching for a word to express the meaning of love, but instead burst into tears once again.

He helped her to her feet and saw her to the door and down the stairs. He then suggested they go to a nearby wine bar. He wasn't sure why he was behaving in this way. There must be something about this young woman that touched him, or perhaps it was that he found her attractive. He ordered a bottle of wine and let the woman speak about her recent tribulations, although he took in only a few details; he was gazing at her hands, her fingers involuntarily toying with the napkin. They were so beautiful that he wanted to clasp them in his and stroke them. From time to time he would interrupt her and tell her some of the incidents he had heard about in the course of his work, to reassure her that she was far from alone in her suffering.

When they parted, an hour later, she invited him to a concert to be performed by the orchestra she played in. She also, naturally, invited his wife, but in the end he went alone. He found it impossible to concentrate on the music; his attention was focussed on her single form in the

orchestra—the flickering movements of her fingers and her fine bowing—and he felt an unwonted emotion. He was astounded at himself and at his feelings, which struck him as inappropriate for someone his age. But then it occurred to him that he had simply written off certain emotions too soon.

He found her address and telephone number in the case file.

They started to meet twice a week, initially in a café or a wine bar. He was aware that because of his profession she regarded him as an expert on matters of love, or rather on those instances where love was foundering, and indeed when questioned he sought to draw more general lessons from the cases that lay in his memory. Even though he had little belief in the possibility of people living together in love, he realized how cautious he was in his comments, and how he could speak about something he had been unable to achieve in his own life: a relationship of mutual admiration and respect out of which tenderness grew. She listened to him with an increasing hopefulness. "I expect you're good at love," she said and gave his hand a momentary squeeze. "You strike me as someone who can be tolerant and allow the other person some space for herself."

He nodded, pleased that she should think of him in that way.

Then she invited him home.

She lived in a tiny attic room, and as he walked up the many stairs (the house had no elevator) his legs were buckling under him from excitement or maybe anxiety at what was certainly about to happen.

The little room had sloping walls and almost no furniture, just a wardrobe, a music stand, two chairs, and a large divan beneath a skylight. They made love underneath that window.

She was slim and finely built compared with his wife, and her skin was smooth, without a single fold or wrinkle. To his surprise, he found tender words for her. She listened to him, and he had barely stopped speaking when she said, "More, please. I want more of those words." As he was leaving, she asked, "Will we see each other again sometime?" And he assured her that he would certainly be back soon.

And so he would visit her, bringing her flowers, wine, and words of tenderness. They never spoke about her former husband, and he mentioned his

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A tiny catchlight of saliva
 shows as she opens her mouth.

In the moment of recognition
 the rest of the glitzy room
 slips from focus: she stares
 out of the shadow of her hat—
 a wide-brimmed, red, feathery affair—
 aware of what is rehearsed
 in the encounter, undaunted,
 prepared for that alone.

—WILLIAM BENTON

wife only occasionally, and always in a way that let Lida assume that his marriage was not particularly happy. As usually happens when information comes from one side only, she would have concluded, had she made the effort, that the fault lay with his wife.

On one occasion, when they were again lying beneath the skylight, onto which the heavy drops of a spring downpour were falling, she asked him, "Do you love your wife at all?"

He said he didn't, that he hadn't loved her for many years.

Then for a long time neither of them said anything. She cuddled up to him as he stroked her hips and her belly, the softness of her skin exciting him as always.

"What's the point of such a marriage, Martin?" she asked abruptly.

The question caught him unprepared. He had never considered the possibility that he might leave his wife after thirty years of living with her, not even now, as he lay at the side of a woman he had just made love to. He had long ceased wondering what bound him to his wife. Habit, perhaps. So many shared days and nights. Memories that now felt like stories about someone else. Maybe the chairs they sat on, or the familiar odor that wafted toward him the moment he opened the door of their apartment. Maybe the sons they had reared.

"You don't have to tell me if you don't want to," she said.

"Maybe," he said, "so that when I come home in weather like this I can say to someone, 'It's raining out.'"

"Yes, that's a good reason," she said, drawing away from him slightly.

As he was leaving, she didn't ask, as

she usually did, when they would see each other again. So he asked instead.

"Maybe never," she said. Even so, she leaned toward him and kissed him.

On his way downstairs, it occurred to him that she had been expecting a different response, that he had mistaken the meaning of her question. She had wanted to hear whether he was prepared to leave his wife for her.

He was overcome by an almost weary dejection. He could still turn back, ring her doorbell, and give her a different answer. But what answer should he give?

So Judge Martin Vacek went home.

When he opened the door of his apartment, the familiar odor wafted toward him. Marie came out of the living room and greeted him as usual with the words "I'll have your dinner ready straightaway."

He sat down at the table and stared silently ahead of him. He saw nothing. On the radio in the adjoining room someone was playing the violin. He found the sound of it so distressing that he could hardly move. His wife placed a bowl of hot soup in front of him.

He knew he ought to say something, but he had only an emptiness that engulfed all speech. "It's raining out," he said eventually.

His wife looked toward the window in surprise. It had stopped raining long ago, and the room was suffused with the dark-red glow of the setting sun.

It was her custom not to contradict her husband, even though he had seemed to her more and more absent-minded lately; perhaps old age was beginning to affect his mind.

"That's good," she said. "The farmers' fields could do with a bit of moisture." ♦
(Translated, from the Czech, by Gerald Turner.)

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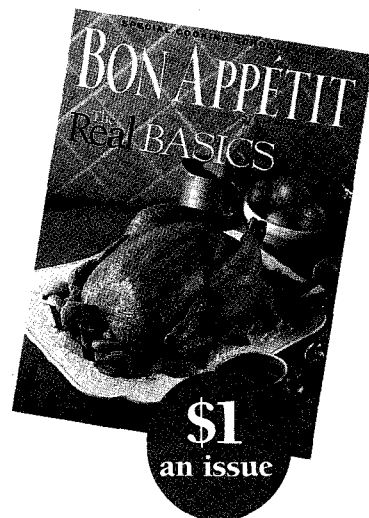
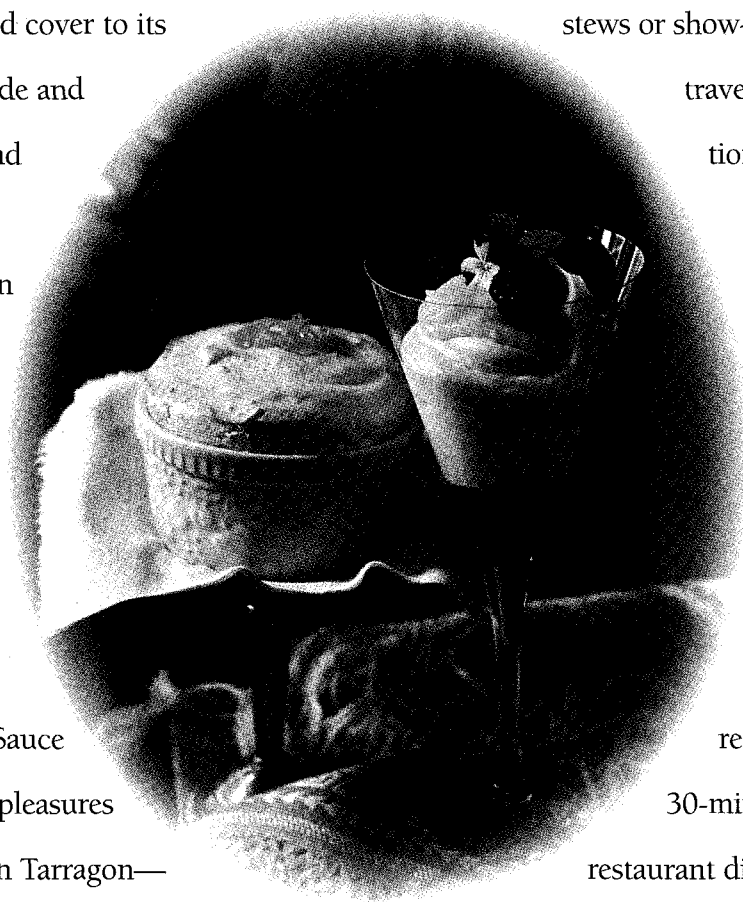
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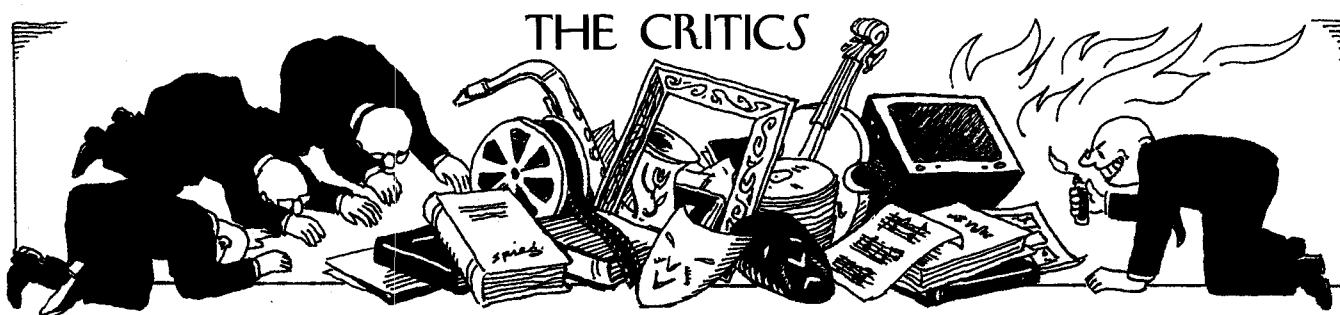
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A CRITIC AT LARGE

IN LOVE WITH FEAR

How the master of suspense made fetishists of us all.

BY ANTHONY LANE

A HUNDRED years ago, on August 13, 1899, a boy was born. He was the son of a greengrocer from Leytonstone, a small town in Essex, which has since been swallowed by the sprawl of East London. Ten years earlier, another London boy was born; both would migrate, both would end up as knights of the realm they had vacated, and both would grow wealthy in the pleasurable purveying of their obsessions. Strangest of all, these two Englishmen would become the most recognized shapes in the history of cinema. The Essex boy would ripen swiftly in Falstaffian directions; the other would stay as trim and proud as a penguin. It is one thing to have your name known around the world, but to be identified by nothing more than your silhouette—well, that is an honor accorded to very few. If Alfred Hitchcock and Charles Chaplin have any peer in this regard, it is Mickey Mouse, who was hailed by Hitchcock as the most pliable of performers. "Mr. Disney has the right idea," he once said. "If he doesn't like them, he tears them up."

That is the chord that Hitchcock liked to strike, and one that his admirers—especially those who watched him fronting TV dramas in the fifties and sixties—came to expect: an easy fusion of the sadistic and the sardonic, delivered with such dead-eyed relish that, like an outrageous con trick, it could somehow be construed as benevolent. How on earth did we come to worship this portly and paranoid figure, this anti-Santa with his funereal suit and tie and his sack of vicious toys, who liked almost nothing about

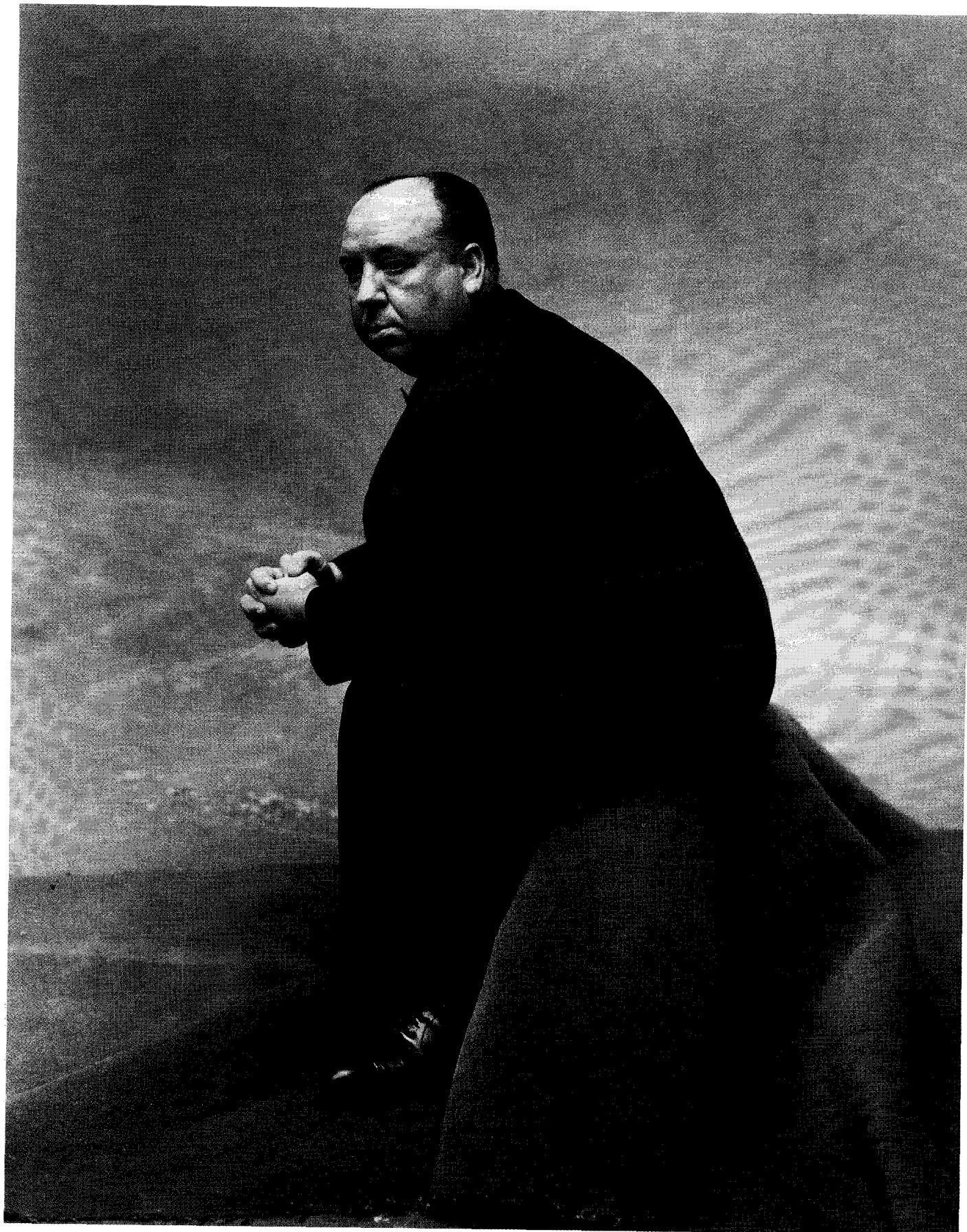
us except our need to give him money in return for the promise of temporary distress? The outward refinements of a Hitchcock picture may be a delight, but they are frayed by emotional wear and tear; when Grace Kelly, in "Rear Window," is hunting for clues inside Raymond Burr's apartment, and Burr appears in the corridor outside, James Stewart, watching from across the courtyard, looks genuinely aghast, and for a minute we forget the harmless pleasure of watching Grace Kelly in a summer frock. Indeed, it is a rule of Hitchcock's cautionary tales that no pleasure can be wholly harmless—that the more needling the harm, the more pointedly the pleasure will be pricked into a thrill.

The Hitchcock centenary has been greeted with appropriate ceremony. Books such as "Hitchcock's Notebooks" (Spike; \$30) and "Hitchcock's America" (Oxford; \$17 in paper) have directed our gaze to unconsidered corners of his work, while the Museum of Modern Art organized a complete retrospective of his movies (fifty-three are extant), together with an exhibit of Hitchcockiana, which shows until August 17th. Among the highlights is a 1962 written exchange between the director and Grace Kelly, whom Hitchcock wanted for the title role in "Marnie." In the event, it was decided that a European princess was not quite right for the part of a frigid kleptomaniac. Hitch was unmoved. "Yes, it was sad, wasn't it?" he noted. "After all, it was only a movie." That shrugging dismissal is one that he tried on several occasions, but he could never

make it ring true: movies were all he had.

The most suggestive commemoration I have found is the Hitchcock show at the Museum of Modern Art in Oxford, England. This includes a mockup of James Stewart's bedroom in "Vertigo"; a rear-projected, frame-by-frame screening of "Psycho"; and a beguiling series of looped montages by Christoph Girardet and Matthias Müller, entitled "The Phoenix Tapes." These are scraps of Hitchcock crammed with objects and actions that we have come to recognize as his imaginative property. One loop rifles through the following images: name cards, tiepins, monograms, letters, keys, locks, drains, the color red, spots, basins, washing, hair-cutting, hair-burning, fires, matchbooks, race cards, addresses, newspapers, music scores, telephone directories, phones, papers against a door, doorknobs, hands, cups, breakages, spills, rings on fingers, rosaries, handcuffs, bags, purses, guns, drawers, knives, forks, and back to name cards.

What struck me about these visual quotations is how much they reveal not about Hitchcock but about us; whatever the source of his undoubted fetishism, the more compelling fact is that he ended up making fetishists of us all. We come out of movies saying, "I liked that bit where . . ." and Hitchcock's bits were simply neater than anyone else's. Moviegoers like that bit in "Notorious" where the camera glides down, as if in annunciation, to discover a stolen key in Ingrid Bergman's fist; I *really* like the bit just before that, when Claude Rains tries to kiss that hand, and she, thinking smartly, throws her arms around his neck, drops the key on the rug, and slides it aside with her foot. Critics like to damn the frenzied editing practices of current cinema, but Hitchcock reminds us that rapid cutting is not in itself a sin. There is a serenity in his speed; he is driving the action forward with such confidence that the emotional burden of the moment—which in Bergman's case could not be more fraught—



Hitchcock, photographed by Irving Penn in 1947. For all the darkness, comedy is the natural blush under his thrills.

comes to feel almost weightless. Only a man who took no exercise whatsoever, and who once ate three steaks in a single sitting at "21," could derive such bliss from the athletic possibilities of his art.

It is impossible to tell, with Hitchcock, where fear ends and fantasy begins; indeed, the two are twisted together for strength, like the cords of a rope. His cinema is one of compulsive repetition; from film to film, his characters are initiated afresh into rituals that Hitchcock alone can comprehend. If this was designed as a purgation, it failed beautifully; far from being broken, the spell of unease merely tightened its grip, as if the director were half in love not just with his actresses but with the perils they faced. He liked to claim, for instance, that he never drove a car—untrue, of course, like many of his claims, although he did employ a chauffeur in Hollywood. "If you don't drive a car, you can't get a ticket," he explained, and a ticket—the stub of authority, stamped with trouble—was what Hitchcock dreaded most. And how did he mold and decorate his dread? He lingered on the tight-gloved hands of Tippi Hedren as she rested them lightly on the steering wheel, in "The Birds," and gunned her green Aston Martin up to Bodega Bay; he had Barbara Harris's

brake cables comically snipped in "Family Plot," with unstoppable consequences; and, best of all, in "To Catch a Thief" he had Grace Kelly drive Cary Grant around the bends until Grant was clutching his knees. Hitchcock's pleasure was to dip his performers into precisely the type of quicksand in which he himself would have sunk without a trace; the ingenious bravado with which they hauled themselves free not only tickled him, as it did his audiences, but offered the comforting thought that our treacherous world could sometimes, by a whisker, be put to rights.

It is the whisker, the humming wire of suspense, for which Hitchcock is still most highly honored. When Martin Balsam climbs the stairs in "Psycho," we want the bedroom door to open, but only by a couple of inches; the waiting spices the agony. This practice of procrastination began early, one gathers, and it was indivisible from crime. At Hitchcock's school, St. Ignatius College, in Stamford Hill,

The form master would tell the pupil of his wrongdoing and the pupil would have to go before the disciplining priest. It was left to the pupil to decide when he would go for the punishment, and of course he would keep putting it off.

That Hitchcock could recollect this

torture so plainly in 1973, sixty years after the event, suggests that the pain of indecision was undimmed. Hitchcock commentators have traditionally made merry over the fact that young Alfred was a scion of the Catholic lower middle class and, as one schoolmate described him, "a lonely fat boy who smiled and looked at you as if he could see straight through you." On the other hand, we should beware the temptation to post-rationalize. The majority of boys who undergo a Jesuit education grow up as useful members of society, largely untroubled by the urgent desire to watch blond women in handcuffs. In tracing the trouble with Alfred, we require further particulars.

We know, for example, that as a boy, and even as a young man with a full-time job, Hitchcock would be summoned by his mother, Emma, to the foot of her bed and pressed for a litany of the day's events. "It was a ritual. I always remember the evening confession," he admitted to Tippi Hedren, who passed the information on to one of his biographers, Donald Spoto. According to Spoto, such maternal interest "inculcates guilt of a scrupulous and neurotic type." Hitchcock fans have learned to be cautious of Spoto, who is always ready to pass briskly over the fruits of Hitchcock's talent if there is a chance to check out the undergrowth; still, staring at the swarm of fearsome matriarchs who invade the Hitchcock corpus, you do wonder. There is the doting presence who files the nails of her wicked son, in "Strangers on a Train"; the entirely petrifying Nazi who cowers Claude Rains in "Notorious"; the weariness of not loving that wears down the heroine's mother in "Marnie"; and the hawkish Lydia, of "The Birds," who resents her son's billing and cooing with another woman. Lastly, there is old Mrs. Bates, a boy's best friend.

The other woman who oversaw Hitchcock's life was Alma Reville, who was one day younger than him, and whom he met in 1921 and married five years later. She was small and smart ("my severest critic," he said), and was already skilled in editing and continuity when Hitchcock entered the movie trade as a dogsbody. (Professional pride forbade him to wed until he rose to the rank of assistant director.) He had trained as an engineer and worked at a telegraph-and-cable company, where (helped by an evening course in painting) he had



"Did you bring a duplicate copy of your 'Times' obit with you?"

ended up in the advertising department; he now took a portfolio to the Famous Players-Lasky Corporation, an American film company that had arrived in London at the end of the First World War, and he was hired to design titles. "I'm American-trained," he said. "As soon as you entered the studio doors you were in an American atmosphere."

FOR the sake of convenience, Hitchcock-watchers like to split his career down the middle—between the English pictures, which began in 1925, with "The Pleasure Garden," and ended in 1938, with "Jamaica Inn," and the American period, which saw Hitch hit the ground running with "Rebecca," and keep on running, with occasional stumbles, until "Family Plot" was released, in 1976. But the two halves of his achievement blur and bleed into one another. Hollywood allowed him to revisit and resuscitate performers and setups from his British days—and, in one case, to remake an entire movie, "The Man Who Knew Too Much." Equally, the achievements of the young Hitchcock show an artist craning forward in excitement, as if from the prow of a ship. He was based in London, but his mind's eye was elsewhere. He visited the vast U.F.A. studios in Berlin, learned German, and watched F. W. Murnau—who would also emigrate to Hollywood—shoot "The Last Laugh." For decades, British cinema was little more than a bad hangover from a night at the theatre; the only way to get the taste of sawdust out of your mouth was to watch movies from Germany, the Soviet Union, and, above all, America. "The Americans have shown themselves adept at this trick of switching from grave to gay. Why shouldn't we do the same?" Hitchcock wrote. And elsewhere: "They have learnt, as it were, to put the nouns, verbs, and adjectives of the film language together." The landscape of early Hitchcock could not be more British, from the Victorian fogs of "The Lodger" (1927), his first big hit, to the seaside dance hall of "Young and Innocent," ten years on; but the grammar of these movies has lost any trace of starch. It is fluid, furtive, and as quick as a knife in the dark: "The Lodger" is silent, but, as the killer strikes, Hitch cuts away to a cat and a woman nearby, who whip around and listen to the soundless scream.

This takes us immediately not just to the heart of Hitchcock but to the vexed

matter of film direction itself. It was the French—in the persons of François Truffaut, Claude Chabrol, and others, most of them critics who would later cross the river into creativity—who eagerly proclaimed their faith in the theory of the auteur, and it was Hitchcock whom they took as their model. On the face of it, auteurism—the notion that a film bears the mark of its maker, the director, as unmistakably as a novel bears that of its writer—is either a cracked fancy or a crummy joke. Any one who has seen a film being shot will be richly amused by the possibility that one person could impose a signature style on such a throng of innumerable disciplines, let alone lord it over the bear pit of cinematic egos, each of them chafing at its chain. Yet the stubborn fact remains that for more than fifty years Hitchcock delivered work that—for all his intensive collaboration with producers such as Selznick, writers such as Ben Hecht and Ernest Lehman, and composers such as Bernard Herrmann—could have bloomed from no other brain. Some of his easiest conquests are achieved by touches no heavier than the brush of wire on drumskin, and his effects kick in absurdly fast, without blare or buildup. I once asked a friend who had never seen "Marnie" to guess the director. Skipping the opening credits, I started a stopwatch on the first shot—Tippi Hedren's clutch bag under her arm as she walks along a station platform. "Hitchcock," he said, and I checked the watch. Twelve seconds.

"Marnie" is, of course, a late work, made in 1964. But even a brief stroll through the high-humored films of his youth demonstrates that most of them already reeked of Hitchcock; at any rate, they helped to nourish the look that soon became both mystery and giveaway, like a paragraph of Kafka. "Sabotage" (1936) begins with bewitching speed: within two minutes, we have seen the lights of London fail, we understand what caused the blackout, and we know the grim visage of Verloc, the saboteur. The film then fans out into the chatter and bustle of city life: the detective goes under cover as a greengrocer (Hitchcock paying homage to his own father), the heroine sells tickets at a movie theatre, and a bomb is taken blithely onto a bus. In short, the film honors the democratic principles that Hitchcock proclaimed the following year, in an

article on the failings of British cinema:

Forgotten are the men who leap on buses, the girls who pack into the Tube, the commercial travelers, the newspaper men, the girls who manicure your nails, the composers who write the dance numbers, the city clerk and his weekend Rugger, the stockbroker and his round of golf, the typist and her boyfriend, the cinema queues, the *palais de danse* crowds...

This is the Hitchcock who grew up reading Shaw and Wells, who inherited their hatred of snobbery and their penchant for unextraordinary souls—and for the mantrap into which such souls can step. That observant litany could have been written by the young John Betjeman, another tubby addict of the suburban; Betjeman would have applauded

the tidy English habits that the Hitchcocks maintained in Hollywood—back from work at six, cocktails, dinner, reading, and bed by half past eight. I would place Hitchcock among that small band of artists—W. H. Auden being the most distinguished—who found a new way to frame the drama of ordinary people. If human curiosity obliged you to usher the masses into your fictions, it was not enough to let them wander through, as if they were milling on a stage; the world of clerks and crowds could be hooked into shocking affiliation with the abrupt and shadowy angles of modernism. That is why "Sabotage" eventually quietens to a terrifying scene at the dinner table where Verloc and his wife, who knows he is a killer, eye the carving knife with fearful symmetry. The camera lingers on Verloc's face while he walks around the table. "Instinctively," the director said, "the viewer should be pushing back slightly in his seat to allow Verloc to pass by." That is the essence of Hitchcock: nothing so drab as a meeting of form and content but, rather, a technical intensity so adamant that it forges fresh anxieties as it moves along, creating the need for a whole new etiquette of fear.

Whether England realized what it had on its hands is another matter. To Hitchcock, America was always more lucratively discerning; "The Lady Vanishes" won the New York Critics' Best Director Award in 1938. Such a prize may sound solemn for so watchable an entertainment, but that is precisely the point; there were people in America who understood the powers of visual persuasion which were required to make people watch. You cannot tune in to



"The Lady Vanishes"—even on TV, and even if you happen upon it halfway through—and not stay with it to the end. No wonder David O. Selznick wanted Alfred Hitchcock for himself.

OTTO FRIEDRICH, in "City of Nets," his study of the movie world in the nineteen-forties, describes Hitchcock as "one of the few people in Hollywood who could out-Selznick Selznick." The producer, who signed him up in 1938, liked to keep tabs on his directors, and to cover his options by having them shoot each scene from numerous viewpoints, so that the ideal sequence could be pasted together in the editing suite. Hitch, on the other hand, framed only those shots that he knew he would need. He never looked through the viewfinder, and he definitely didn't want a producer breathing down his neck. When Selznick visited the set of "Spellbound," the camera inexplicably malfunctioned, and then righted itself, by sheer coincidence, when the producer left.

Their first project was supposed to be something called "Titanic," but Selznick pulled the plug. In the event, they made just three films together: "Rebecca," which, in 1940, won the Academy Award for Best Picture; "Spellbound"; and "The Paradine Case." Only one of these, the first, is an out-and-out masterpiece, and even that has a heavy dose of Selznick about it. It could have been worse: he wanted the smoke that rises from the burning Manderley to form a giant black "R" in the sky—although, to be fair, Hitchcock wanted the picture to open with Max and his new bride being seasick on their honeymoon (Hitchcock had a lifelong horror of vomiting), so producer and director probably served as a good check on each other's excesses. "Rebecca" introduced Hitchcock not just to the technical talent available in Hollywood but to the peculiar lustre that Hollywood alone could bestow upon the skin of a film and to the fleshly assumptions that lay beneath. The British films have a larkiness that fades from view as America looms large; "The Thirty-nine Steps" and "North by Northwest" tell comparable tales, but there is a stealth and purpose—a barely explicable air of universal intimacy—in the later picture, which even Robert Donat, Hitchcock's most lovable lead-in man, could not have supplied.

"Spellbound" is an oddity, largely by

comparison with "Notorious," released a year later, in 1946. The two films share a director, a screenwriter (Ben Hecht), and a star (Ingrid Bergman). Both have a caressing texture, and I once heard an audience applaud Gregory Peck, on his first appearance, purely for being so good-looking. Yet "Spellbound" is a dud. Psychiatry was becoming chic toward the end of the war, and Selznick wanted to cash in on it; unfortunately, this meant involving Hitchcock in a Big Idea—never his happiest terrain. Hitchcock was not a thinker, and profundity is what we should prize most nervously in his work; the speech that he wrote for Joseph Cotten in "Shadow of a Doubt," about the world's being a "foul sty," is little more than an adolescent rant, as is Norman Bates's observation that we all live in our private traps. (Thanks, Norm.) The moments where Hitchcock does graze the profound are those where he is least bothered with it; "Notorious," which boasts a daft plot about a man who keeps radioactive soil in his wine cellar, is one of the most provocative films ever made. When Grant and Bergman, both of whom are on his trail, descend to the cellar to find out more, they are disturbed by Claude Rains, who is married to Bergman. "I am going to kiss you," Grant says, and Bergman obliges. Rains sees them, and his face falls with the sadness of betrayal; thanks to their pretense of passion, he does not yet suspect them of spying. But they *are* passionate; the deceit is true.

If I'm trapped at a party and asked to name my favorite films, I tend to duck under the drinks table, but I guess I would find life without "Notorious" unutterably bloodless and bleak. Come to that, Western civilization needs "Rear Window" just as badly as its heroine needs that pistachio suit with the pencil skirt and the halter-necked blouse. Then, there's "North by Northwest." When, a couple of hundred years from now, an alien federation finally pulls in for gas on planet Earth and asks to see one of those things called "movies," we could do worse than offer it Cary Grant

having cocktails on the train, or hanging off a ledge of Presidential rock, as an unsurpassed demonstration of what we mean by film—what it's all about, what it can be made to do, what it is *for*. Hitchcock's movie is no more substantial than one of those dining-car Martinis, yet there is something in its transparency and bite, something beyond the fumes of sophistication, that takes your breath away. When Grant stretches for Eva Marie Saint's hand, swings her up off the mountain and into his marital berth, you realize how tenderly, with what careful shades of chivalry, the whole enterprise has reached out toward height and depth. (How sharply we share the trepidation of Cary Grant in the clean, Frank Lloyd Wright spaces of the villain's hideaway, as opposed to the Gothic hoariness of the Bates house in "Psycho.") "North by Northwest" is not a meditation on loneliness or madness (any more than it is a guide to smuggling microfilm), but it never ceases to gesture in their direction. Grant plays a man named Roger O. Thornhill, who is accused—falsely, of course, as is the rule in Hitchcock—of murder, and is forced to go on the run. At one point, he is asked what the "O" stands for. "Nothing," he says, with a snap of satisfaction. The most arousing sentiment that Hitchcock has ever induced—here, as in "Notorious," and in countless other tales—is the suspicion that to slip from one identity to the next, with no more ado than a businessman changing his suit, will pull you farther away from your tailor-made role in society and closer, if you can handle the irony, to the truth of your desires.

WHAT this tells us about Alfred Hitchcock is a matter of debate. A split has opened up in recent years as the films beloved of film buffs, of theorists and therapists, have drifted apart from the more cheerful popular hits. The later dreamscapes—"The Birds," "Marnie," and, above all, "Vertigo"—are now the prey of an analysis almost as obsessive as the mind that conceived them. If a film such as "Vertigo" disturbs us with its near-necrophilia, when James Stewart refashions a live woman in the image of a dead one, that is apparently because of similar storms within the humid mind of Hitchcock himself. As an adult, he said, he was too shy to walk across the lot at Para-



mount; and the man who found corpses funny also thought that the most horrible thing in the world was the smell of a hard-boiled egg.

It is tempting to read these manias as no more than foibles dressed up for the sake of P.R.—a vocation at which Hitchcock excelled even more than Cecil B. De Mille. He used eccentricity to deflect attention from what he considered his consuming concern: “pieces of film assembled,” otherwise known as “pure cinema.” This disdain for anything except style would be more convincing if it were not for the vampiric way in which he feasted on the same material over and over again. Or perhaps it was that very familiarity that allowed him to perfect his touch—perhaps the chase sequence was to Hitchcock what Mont Sainte-Victoire was to Cézanne. Hitch liked getting things right in advance, complete inside his head, and sitting with writers to iron out the wrinkles in the plot; he and Ernest Lehman spent a year on “North by Northwest” before filming began. But he saw the shoots themselves as a chore and a bore. Joel McCrea, the star of “Foreign Correspondent,” told Donald Spoto he was surprised to find his director (who had drunk a *pint* of champagne at lunchtime) nodding off during a take: “He had fallen asleep. So I said, ‘Cut!’ and he woke up and said, ‘Was it any good?’ I said, ‘The best in the picture!’ and he said, ‘Print it!’”

Needless to say, all of this may have been one more mask. As eager as any murderer to conceal his motives, Hitchcock laid a maze of false trails to confound his trackers. There was the occasion when, at the age of five, he was locked up in a prison cell, on his father’s orders, for being a naughty boy: a story that Hitchcock repeated with such wearisome regularity that it began to resemble the Rosebud of “Citizen Kane”—the clue that solves everything and means nothing. There was the director’s curt reply to the fan who asked why he made movies: “Money.” There was his puerile love of practical jokes: pretty funny when he sent sixty kippers around in a taxi to Robert Donat’s house, or a dray horse to Peter Lorre (an act reciprocated with three hundred canaries, delivered at three o’clock in the morning); less so when he chained a man to a camera, gave him brandy laced with laxative, and left him in the studio all night.

The charge of sadism rang louder when it came to “The Birds,” and to Hitchcock’s treatment of Tippi Hedren. For the attic scene, he put her through a week’s torment that ended with a beak gashing her under the eye, and he took wax casts of her face, supposedly as part of the makeup process; for the filming of “Marnie,” he chose all her clothes and forbade her to go out without asking his permission. Finally, something buckled: Spoto says that Hitchcock made “an overt sexual proposition,” which she rebuffed; another, less heat-seeking biographer, John Russell Taylor, says that Hedren called her mentor fat. Big mistake. Either way, they didn’t speak to each other for the rest of the shoot; he referred to her as “that girl.”

Everything about “The Birds” sounds cruel until you actually see the movie: it is gracious, shrewd, and sunlit, glinting with flirtatious backchat, and lulling itself gently toward the apocalyptic. Most remarkable of all, Tippi Hedren makes it her own. The good-time girl from San Francisco may be bandaged and traumatized by the end, but she puts up a hell of a fight; Camille Paglia, in her short book on the movie, compliments the character on her “mesmerizing narcissism.” It would be easy to cast Hitchcock as the demon misogynist were it not for the nagging sense that women are the guiding spirits of his movies; resourceful and redoubtable, all smiles in their sexual self-possession, they take the male gaze and stare straight back. Fellini thought that “The Birds” was a lyric poem, and, as if in tribute to all those cunning gulls, it provides a bizarre sense of uplift; as with any good Hitchcock, from “The Lodger” onward, material that should leave you humbled and wrecked sends you out on a mystified high. Hitchcock was once asked why he had never made a comedy. “But every film I make *is* a comedy,” he replied.

FOR once, I think Hitchcock was telling the truth. He did make an overt comedy—a screwball entitled “Mr. and Mrs. Smith,” with Carole Lombard, whom he liked for her filthy jokes—but it wasn’t funny. What is funny is the enduring mismatch between what the world pitches at us and the way we choose to hit it—between the stranger on a train who wants to be rid of his wife, preferably in the divorce courts, and the stranger beside him, who takes this as an invi-

BRIEFLY NOTED

A CERTAIN AGE, by Tama Janowitz (Doubleday; \$23.95). Thirty-two-year-old Florence Collins washes up in Gotham with a small inheritance from her mother and sets out to snag a rich husband. The first chapters of this intermittently hilarious saga are promising: on a weekend visit to the cookie-cutter cottage of a Hamptons Cruella de Ville, Florence inadvertently seduces her hostess’s husband, nearly drowns her child, and floods her house. From there, however, the author’s flair for screwball comedy is overtaken by heavy-handedness.

WHO I WAS SUPPOSED TO BE, by Susan Perabo (Simon & Schuster; \$20). A teenage pyromaniac learns that her divorced parents are conducting an affair; an aging film star is burgled by his father. In this deft debut collection, Perabo explores the weight of disappointment in our lives—and how we try to avoid it by assuming new faces. But, as a psychiatrist explains to a man faking amnesia in the hope of winning back his ex-wife, “The people we love always know who we are.”

NEW YORK MODERN: THE ARTS AND THE CITY, by William B. Scott and Peter M. Rutkoff (Johns Hopkins; \$39.95). Between 1876 and 1976, New York became dominant in all the arts, but the scale of the city, the variety of its population, and the cussedness or inventiveness of its artists prevented any one style or school from taking command. This history is as lively as its subject, clarifying the genealogy of the successive rebellions that marked the unfolding of modernism. It pays particular attention to the contributions of African-Americans, helping us see, for example, the link between bebop and Abstract Expressionism.

GOD’S PERFECT CHILD, by Caroline Fraser (Metropolitan; \$30). This penetrating history traces the roots of the Christian Science church to nineteenth-century Calvinism, Emersonian self-reliance, and the remarkable life of its grandiose, anxiety-ridden founder, Mary Baker Eddy. Fraser was raised in the faith and has since renounced it, and she is not afraid to be horrified at Christian Science parents who, in denying the use of modern medicine, allow their children to die from conditions like appendicitis and juvenile-onset diabetes. She has produced a work of compelling skepticism and scholarship, animated by the belief that “it is better to turn your back on a religion than on a human being.”

INTERIOR WITH SUDDEN JOY, by Brenda Shaughnessy (Farrar, Straus & Giroux; \$21). Shaughnessy’s immense subject in this first collection of poems is the nature of desire: satisfied, thwarted, engorged, playful, and possessive. A fierce speaker in one poem declares, “I am voracious alone. . . . Hot with mixed light.” This young poet has arranged her volume to chronicle a journey—from the imaginative games children play to a glimpse of a mother’s journal and the marks left by former lovers. These poems are a heady, infectious celebration of the range and peculiarity of erotic life.

tation to strangle her. On a less reckless level, you get seductive misunderstanding:

"Do you want a leg or a breast?"
"You make the choice."

"Tell me, how long has it been?"
"How long has what been?"
"Since you were in America last."

That is Grace Kelly offering chicken, among other things, to Cary Grant in "To Catch a Thief." Sex becomes a sort of animated suspension; lovers in Hitchcock circle warily around each other, more like predators than like dancers, and even when their lips meet, the camera is likely to continue the waltz. (In "Rear Window," Hitchcock double-printed the closeup of Grace Kelly's face descending toward Jimmy Stewart, so that their kiss was self-shaking, with the orgasm built in.) Hitchcock is the only great director who mastered those elusive hybrids, the romantic comedy and the comedy thriller. In each instance, he sees that the comedy is not something you apply like lipstick, to brighten the tone, but something that is already there—a luminous natural coloring under the thrills, a blush in the very notion of romance. My favorite passage in Hitchcock begins with Kelly springing the catch on her dinky overnight bag in "Rear Window." It's no bigger than a briefcase, but out of it froths a Botticellian spray of lingerie. Before leaving to put it on, she shows the contents to Stewart, and says, "Preview of coming attractions." Movie love is so hot that it sounds like a movie.

Such elegant self-reference, of course, can border on artistic vanity. I am cautious of those who praise "Rear Window" and "Vertigo" as films that are primarily about watching films, if only because Hitchcock strove to ensnare as wide an audience as he could get. That is why we should be grateful for the presence of Thelma Ritter as the bloodthirsty masseuse in "Rear Window" and for that of Barbara Bel Geddes as the underwear designer in "Vertigo"; they are comic choruses, spry and unfazed, letting a touch of fresh air into pictures that could otherwise thicken into the delirious or the unbreathable. Such women are the proper inheritors of the typists and manicurists whom Hitchcock wanted to summon into the British cinema. He was never so at ease amid the American masses (even the townspeople in "Shadow of a Doubt," one of his favorites, are on the stiff and stogy side), and so he diverted his sympathies into supporting roles. Hitch himself trundled or popped into all his films, like a Renaissance

painter glimpsed in a row of heads on the fringes of a fresco, but if you want his authentic voice listen to Thelma Ritter as she gazes across the courtyard at Raymond Burr's apartment: "He better get that trunk outta there before it starts to leak."

What is at work here is something more intricate than comic relief; Hitchcock is not merely relaxing the viewers before he cranks them up again. One of the disarming morals of his movies—even of such a glum and hunted work as "The Wrong Man"—is that it's fun to be cranked; to watch someone take a wrong turn or to see Vera Miles glance curiously at the cellar door in "Psycho" is not to congratulate yourself on your own safe path but to get into your imaginative stride, to follow the victim or the sucker as far as you conceivably can. Film has eroded the stony Aristotelian principle that pity and terror become tolerable at a decent distance—say, at twenty yards from the stage. The movie screen flattens that aplomb and sucks the viewer in; what is more, as Hitchcock knew, we can even be invigorated by our helplessness. If Aristotle had ever checked into a motel and taken a shower, he would have felt the same.

Hitchcock himself was an inveterate traveller, and his movies take us along for the ride. He even maintained a sturdy devotion to the monumental (Mt. Rushmore, the Golden Gate Bridge, the Statue of Liberty, the British Museum),

though whether that makes him a corny tourist or an imperturbable satirist is hard to tell. The finest way to travel in a Hitchcock picture, however, is not by car or plane, or even, as with Robert Donat, on the outside of a train, but by staircase. Stairs are a beginner's guide to vertigo; they lead to the nursery and the cellar alike, and they show how far the heart and the nerves can stretch within your own home. In Hitchcock's case, they lend grandeur to his fretful loftiness; his first film, "The Pleasure Garden," kicked off with chorus girls descending a staircase, and his penultimate film, "Frenzy," left a murderer at work and politely withdrew downstairs and out into the Chaplinish hubbub of London streets. Is that retreat an evasion of the tragic, or does it sport a sinister comedy of its own? Is a devotion to the cause of pure cinema a way to grace the world with order, or a flimsy front for the privately perverse? "Nothing leads more certainly to perfect barbarity," wrote the poet Paul Valéry, "than an exclusive attachment to the pure spirit." A hundred years after his birth, we have yet to decide whether Alfred Hitchcock held the sufferings of others in contempt or whether the amused cool of his gaze makes him as indispensable a modern artist as de Chirico, Bacon, or—the director's own favorite—Paul Klee. Our only reliable evidence is the movies; beyond that, the lonely fat boy disappears from sight. ♦

THE SKY LINE

A TOUCH OF CRASS

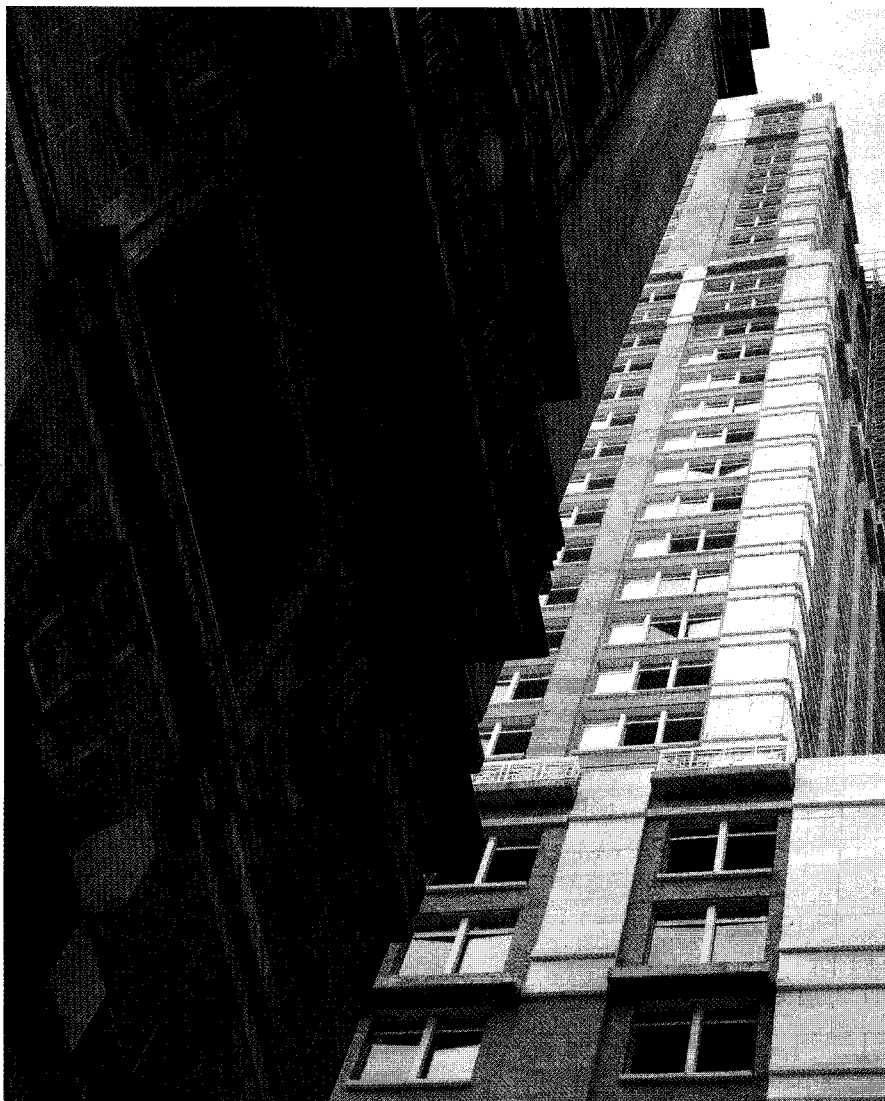
The retro look gone wrong.

BY PAUL GOLDBERGER



RESIDENTIAL glamour in New York has always been represented by apartment buildings, not private houses. Even in Chicago, the only other American city in which a substantial chunk of the upper middle class shares a roof, apartments are not deeply ingrained in the culture the way they are in New York, where you hear people refer to the most desirable addresses by a shorthand; "834" and "740"

and "101," for example, mean 834 Fifth Avenue, 740 Park Avenue, and 101 Central Park West. These buildings and a couple of dozen others from the period between the World Wars have an aura that comes partly from the sheer grandeur of the apartments they contain, partly from the wealth and celebrity of their occupants, partly from the outrageous prices the apartments command. But much of the lustre is due to the early-twentieth-century architecture



515 Park Avenue (at right) tries to emulate older, more distinguished buildings.

itself, especially the discreet ornamentation—usually neo-Renaissance, sometimes Art Moderne, sometimes a hint of Georgian or even Gothic.

The twenties and thirties have been viewed for a long while as a kind of golden age of apartment-house design. The twenties had the Beresford and 960 Fifth Avenue, the thirties had River House and the Majestic. We got white brick. There were sporadic attempts to construct modern buildings of distinction in the sixties, seventies, and eighties—the United Nations Plaza apartments, Trump Tower, Museum Tower, 500 Park Avenue—but for the most part new luxury housing in New York was tacky. In the lexicon of real-estate brokers, “prewar” became a code word for “Trust me, it isn’t a tawdry piece of junk.”

I’ve always wondered why real-estate developers and architects didn’t try harder to copy the buildings everyone professed to admire. Did they really

think that people wanted to live in little boxes of plasterboard set into bigger boxes of white brick, or was that simply what the builders found most efficient to produce? Whatever the case, they seem finally to have abandoned modernism. The latest crop of high-rise condominiums (most new buildings are condominiums, not co-ops) are determinedly retro. Developers—who are promoters and salesmen as much as dealmakers—are hawking prewar elegance as if they had just invented it. Almost every one of the new buildings has an elaborate sales center—a lounge where prospective buyers can view videos that contain computer-generated images of model apartments. An ambitious brochure for Ninety East End Avenue opens with fold-out pictures of the East River and the trees of Carl Schurz Park and the words “Where the River Never Hurries By . . . and the Sun Prefers to Linger . . . Comes the Perfect

Place to Call Home.” At the Chatham, which is going up on Sixty-fifth Street at Third Avenue, the selling point is the architect, Robert A. M. Stern, whose picture appears in all the promotional literature. He is identified as the man “some call the world’s greatest residential architect.” The brochure also includes a drawing of the lobby, which is to be “reminiscent of the Pantheon.”

THE passion for the past reaches its apotheosis, surely, in the grandest of the new buildings that have been finished, 515 Park Avenue, at the corner of Sixtieth Street, a tower of French limestone, mud-colored brick, and cast stone that is being promoted as “The Evolution of the Classic Park Avenue Residence.” It’s hard to know quite what the developers, the Zeckendorfs, believe represents an evolution here, unless it’s the notion that expanding the traditional fourteen-story Park Avenue building of the nineteen-twenties into a forty-three-story tower constitutes a form of progress. In fact, 515 Park Avenue is particularly ungainly. The building has a base that is similar in bulk to its venerable ancestors, but two narrow towers extrude from it, like two sections of a telescope, and they seem to be stretched and pulled to the point where all sense of proportion is lost.

The fact that 515 Park Avenue is taller than most of the neighboring office buildings wouldn’t matter if the design made sense in itself. But the architect, Frank Williams, seems not to understand that a classic Manhattan apartment house from the nineteen-twenties and a tall, slender tower are completely different beasts. The early-twentieth-century buildings were not just well detailed but well proportioned; they weren’t weirdly gangly. Many of them were no higher than the base of Williams’s new building. A handful, mostly hotels, were taller, including the Ritz Tower, just three blocks south of 515 Park Avenue. Designed by Emery Roth, one of the masters of the classic New York apartment building, and finished in 1926, the Ritz is thirty-seven stories tall. But it has several setbacks, which give it a kind of lilting rhythm, and the imitation-Renaissance details on its façade are soft and understated.

I visited the clunky new building at 515 Park Avenue the other day with Williams, a friendly, gray-haired man

whose enthusiasm for his creation is apparent. "Twelve-foot ceilings! We have twelve-foot ceilings! Nobody's built that in this day and age!" he exclaimed. He is right on that score—twelve-foot ceilings (some, but not all, of the floors of 515 Park Avenue have them) are unusual today. And some of the apartments do indeed approximate the gracious layouts of classic Emery Roth apartments, with large foyers, well-proportioned living rooms, and separate bedroom wings. (Williams's versions have better bathrooms and much better kitchens.) If you lived in this building, you might be able to convince yourself that you owned a rough approximation of a prewar apartment, but if you simply walked past it you would not get that impression. Williams's favorite word is "patina," and he described how carefully he had replicated that of the old buildings on Park Avenue. But patina is not a quality that can be replicated. And, for all his scrutiny of the architecture of Park Avenue, Williams seems not to have picked up the most important characteristic of the city's older apartment buildings—their quiet dignity. The corners at 515 Park Avenue are lined with cast stone, a concrete derivative intended to simulate limestone, and there is too much of it. The corners come off as heavy and awkward. (Williams told me that the cast stone was cut into pieces small enough so they could be laid by the bricklayers' union, cutting the cost of labor.) The base floors are lined with Magny stone, a French limestone that the cast stone is supposed to resemble. The cast stone starts above the thirteenth floor, where we can't see it as clearly, and we are supposed to assume that the real stone has been used all the way up. But it's obvious that the material is different, and not as good. Add the murky-colored brick, which doesn't mix well with the color of the cast stone, and some awkward fake pilasters, and you have a façade that is a pretentious muddle.

HUGH HARDY, of Hardy Holzman Pfeiffer, did somewhat better at 145 East Seventy-sixth Street. Hardy, who designed the building along with the firm of Schuman Lichtenstein Claman Efron, had a reasonably modest assignment—a fifteen-story luxury building that would contain large apartments

and sit comfortably amid the older buildings of the neighborhood. No need to go high, and no need to create one of those useless plazas that zoning laws once encouraged in front of apartment buildings, and which led to a generation of slender towers. Here the shape could be traditional, which made covering the thing in traditional garb seem less contrived. Hardy has an exceptionally knowing eye, and he has inventively blended elements taken from the vocabulary of classic New York apartment architecture into his building. Never mind that the developer, the Macklowe Organization, insists on calling the truncated terraces "Juliette balconies." The building, which has numerous setbacks, is restrained, and the rusticated limestone detailing demonstrates a clear sense of proportion and scale. This isn't a masterpiece. It's just decent background architecture, which is exactly what we seem to have so much trouble producing these days. And, while rooms are not huge, the apartments are laid out with at least some sense of expansiveness.

It's quite possible that 90 East End Avenue, a thirty-eight-unit building designed by the architect Costas Kondylis, will have the same virtues of understatement on its exterior, though it looks as if the apartment layouts will be tighter. Less promising at this point is the Empire, a thirty-two-story tower of limestone and red brick designed by the Washington, D.C., firm of Hartman-Cox, along with the Schuman firm. The building's gabled, vaguely Queen Anne-style roof seems clearly inspired by the turret of a great lost Chicago landmark, Burnham & Root's Masonic Temple, of 1892. Or is it inspired by Philip Johnson and John Burgee's 1987 skyscraper in Chicago that was itself inspired by the Masonic Temple? In the world of retro architecture, it's not easy to tell the difference between imitating the imitator and imitating the original. Perhaps the real question is what the point is of putting luxury apartments on Third Avenue in New York into a container that looks like a nineteenth century Chicago skyscraper.

Alas, the apartments in the Empire are uninspiring. They have the same short, narrow corridors that can be so oppressive in buildings of the white brick genre. One layout at the Empire even contains a "maid's room" that is not off by itself but next to other bedrooms. I

presume that the designers produced a bedroom that was so small they didn't think anyone would accept it, so they called it a maid's room. Whatever else you can say about Emery Roth, he never made that kind of mistake. The one virtue of the Empire's gabled top is that it will be a striking presence on the skyline, as will Stern's Chatham, with its elegantly detailed brick-and-limestone tower. I wonder, though, how much any of that matters, at least in the case of towers like these, since neither a fancy top nor a limestone-clad bottom can hide the fact that what we have is more very tall buildings being squeezed into already overcrowded parts of Manhattan.

WHAT made the apartment buildings of the first three decades of this century important as works of architecture, and what makes them still so valuable as real estate, is the quality of their physical construction and of their apartments, and the sense they project of being part of a whole. Park Avenue, Fifth Avenue, and Central Park West, not to mention West End Avenue and Riverside Drive, are all coherent works of urban design in which each architect's statement plays a secondary role. The street itself is the most important element, and each building serves the people who walk past it as much as it serves the people who live inside it. The architecture of a building like 515 Park Avenue pretends to be doing this, but it's a hollow claim.

It's sad that New York has not developed a strong tradition of modern residential design. If it had, we might be talking about buildings that excite the eye in new ways rather than about buildings for which the highest praise is to say that they evoke the golden age with modesty rather than with arrogance. Indeed, the mediocrity of most postwar luxury housing in New York is the main reason for the current retro trend. It certainly isn't the result of larger architectural forces, which dallied with retro in the nineteen-eighties in a slew of office towers and institutional buildings but few apartment buildings. The early postmodern period yielded the neo-traditional 1001 Fifth Avenue façade by Johnson & Burgee and an apartment house at Seventieth Street and Third Avenue by Kohn Pedersen Fox, but nobody paid much attention to them back then, in part because not

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- 7 ARIDNESS (anag.)
- 8 PORT (2 defs.)
- 10 STORE (hidden)
- 11 W + EDGE
- 12 EVENS (anag.)
- 13 BALLS (2 defs.)
- 15 (a)ROMA
- 16 SCENARIO (anag.)
- 17 HEAD (hidden)
- 18 PECS (*pecks* hom.)

DOWN

- 1 SAPS (2 defs.)
- 2 PR(OVEN)ANCE
- 3 AIRED + ALE
- 4 C-(NOTE)
- 5 (g)ASTRONOMIC
- 6 OSIERS (anag.)
- 9 SOME MORE
- 11 W + A + BASH
- 12 E + LAND
- 14 L + A(O)S

much other luxury housing was being built. Then came the nineties boom, a wild leap in housing prices, and a market that was desperate for luxury. With investment bankers outbidding each other right and left for the real prewar apartments, it's no surprise that real-estate developers decided that the answer was

to start producing more of them, like the savvy furnituremakers who turn out "genuine reproduction antiques." The newly rich who didn't want to settle for a sixties brick box and couldn't manage Emery Roth could have Robert Stern. After all, if there isn't enough of the old to go around, why not make more of it? ♦

THE CURRENT CINEMA

LUCKY STARS

Acting up in "Bowfinger," and playing games in "The Gambler."

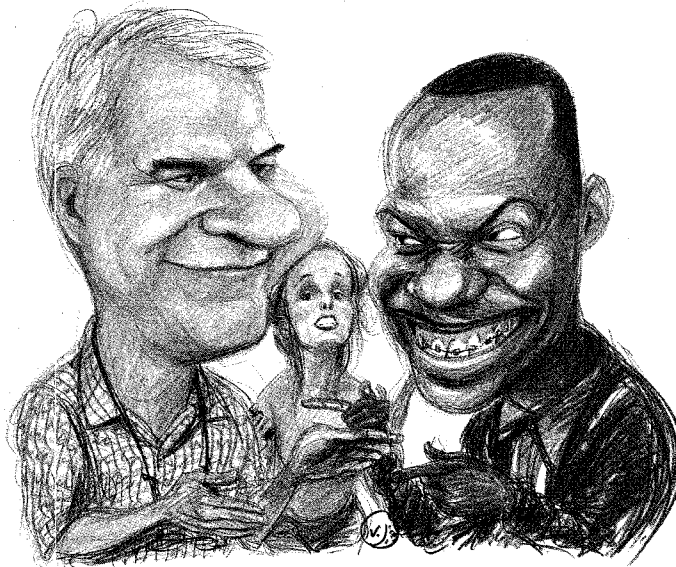
BY ANTHONY LANE



THE good news about the new Steve Martin picture, "Bowfinger," is that it's set in Los Angeles. After the clouded, low-pressure feeling of "The Out-of-Towners," Martin is back in his own town, the one that he chastised so rhapsodically in "L.A. Story." It must be said that "Bowfinger," which Martin wrote himself, is not half as beautiful as the earlier work; the pace is too maddened to allow any of that sprinkler-hissing lushness to seep in at the edges. By way of compensation, we get Martin in centrifugal mood, with gags and bit parts flying off him like shrapnel, plus a sample of those strange little sounds—meaningless clusters of sticky consonants—that he tends to deliver under the influence of inspiration. The director is Frank Oz, who made "Little Shop of Horrors," "Dirty Rotten Scoundrels," and, lest we forget, "The Muppets Take Manhattan," and there is something muppetty, something inordinately gonzo, about his new movie that wipes out all resistance. Yet the premise could not be more depressed; Bowfinger (Martin again) is a deadbeat movie producer who lives in a dusty shack with a Greek portico stuck on the front door. The first ten minutes of the movie are

telephone-bound—a flurry of calls and messages, most of them concerning a script that Bowfinger admires, but all of them racking up his levels of loneliness.

The script, entitled "Chubby Rain," is by a genial accountant named Afrim, and Bowfinger wants it made; thanks to a well-rehearsed roster of deceptions—ripping the car phone out of a Mercedes,



Headlong but sweet-natured surrealism: Martin, Graham, and Murphy in "Bowfinger."

say, so that he can use it as a mobile in a restaurant—he gets an O.K. from a studio executive (Robert Downey, Jr.), who reads not only the first page but the last page, too. One small problem is that Bowfinger has to get Kit Ramsey (Eddie Murphy), the world's hottest, angriest, and most paranoid movie star, and the

hero of "Explicit Endeavor," to commit to the new film. Kit turns him down; undaunted, Bowfinger decides to shoot "Chubby Rain" anyway, with Kit in the leading role but without Kit's realizing that he *has* a role—indeed, that he is in a movie at all. According to Bowfinger, this is standard practice: "Did you know Tom Cruise had no idea he was in that vampire movie until two years later?"

The farce factor of such a plot is off the chart, and Martin and Murphy barely miss a trick. Bowfinger claims that action heroes require no more than six proper scenes, the rest being filler, so those are what he films. His other performers—Christine Baranski as a drama queen, Heather Graham as a nice Ohio girl who sleeps her way through cast and crew ("I've never done it lying down before")—approach Kit and jolt him into the right reaction shots. Even better, Bowfinger's dog, Betsy (gutsily played by Mindy), has a pair of high heels strapped onto her front paws, so that she can trot through an underground parking lot and cause a terrified Kit to take off in his red Ferrari. In its storming silliness, "Bowfinger" does nuzzle at some Hollywood home truths—the enduring suspicion, for instance, that stars are never *not* acting, even to themselves, and that to catch them off-duty is your right as an American citizen, your privilege as an artist, and your personal introduction to what Bowfinger, in a pensive moment, calls "Cinema Nouveau."

In truth, "Bowfinger" is pretty solid Cinema Ancien, and it stays alive through sheer width of wit: Martin refuses to narrow the range of his targets—stepping into ethnic territory, for example, that more timid writers would leave alone. We get a bunch of illegal Mexican immigrants who are lured through the gunfire of the border, hired as a film crew, and taught the ropes; by the end, they are reading *Cahiers du Cinéma* and taking calls on their cell phones. We also get Eddie Murphy playing a second part as Kit's shy brother, Jiff, "an active renter at Blockbuster." Murphy seems happiest when, as in "The Nutty Professor," he is given the opportunity to slip out of his

jiving character and into someone less deafening; Bowfinger asks Jiff if he would mind cutting his hair for a screen role, and Jiff says he prefers to have someone else cut it for him. "Bowfinger" is that kind of picture; Oz and Martin understand that knocking Hollywood is easy money, so they settle into a headlong but sweet-natured surrealism, closer to "Roxanne" than to the hostility of a film like "The Player." Such tolerance can be unhelpful to logic, and it does seem unlikely that "Chubby Rain," with its over-all costs of \$2,184 and its fumbling zooms of Eddie Murphy in the back of a car, would premiere to such warm applause. Still, it is hard to begrudge the makers of "Bowfinger," like those of "Chubby Rain," their happy ending; after all, in its penchant for the rough and ready, in its scorn for the cheaply therapeutic, and, most important, in its induction of the backward car chase into world cinema, "Bowfinger" is a skit on happiness.

IN 1866, Dostoyevsky wrote a book. To be precise, in *October*, 1866, Dostoyevsky wrote a book. Blessed with the business sense of a lemming, he had been squeezed by his publisher into signing a contract that demanded a work of not less than a hundred and sixty pages by November 1st. With a month to go, nothing had stirred, so he hired a stenographer named Anna Grigoryevna Snitkina. She started to take dictation on October 4th; twenty-seven days later, "The Gambler" was complete. Conscientious beyond the call of duty, let alone of reason, Anna stayed with the writer, married him, bore him four children, and oversaw the creation of "Crime and Punishment," "The Devils," and "The Possessed." He was twenty-five years her senior: a veteran of a Siberian labor camp, a fitful epileptic, and an accomplished drunk. They were made for each other.

Their story has now been filmed as "The Gambler," by the Hungarian director Karoly Makk. We see Anna (Jodhi May) coming to work for Dostoyevsky (Michael Gambon) in the leaden light of St. Petersburg; as he starts to dictate, we cut away, into the novel itself, where Alexei (Dominic West) is trying his luck both at the tables and with the alluring Polina (Polly Walker). Also present are her stepfather, the General (John Wood), and his floozie, Mlle. Blanche

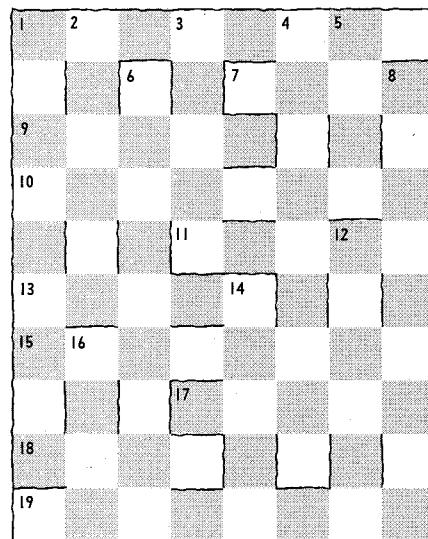
(Angeline Ball). It goes without saying that fortune scowls on them all; even their attempts at affection seem to be spun and tumbled by the click of chance.

You can't help feeling that Makk is unconcerned by the intrigues of the novel; he keeps returning with relish to the tenser games inside Dostoyevsky's apartment, and to the prowling stand-off between Michael Gambon and Jodhi May. Their liaison looks implausible, but that is as it should be; no one could have foreseen that her tranquil pallor would tame this crooning ruin of a man. Gambon leaves you wondering nervously whether his emotional rushes may not be ploys; when he asks Anna to join him in prayer, there is a whisper of come-on in his abasement. Jodhi May, whose performance as Madeleine Stowe's sister in "The Last of the Mohicans" reduced even the marauding Hurons to a worshipful silence, is no less startling here; seeing Dostoyevsky's publisher try to buy him off with a thousand rubles, she cries out, "Don't take it!" In that moment, she snaps the bonds of her decorum, and, for the first time, Gambon's face lifts inquiringly toward her, as if he had just glimpsed his own salvation in another's conscience.

You may need to block your ears through parts of this. From the moment that Anna called out "Mr. Dostoyevsky" (not a form of address that any Russian would use), I knew we were in for some fun, and, indeed, it wasn't long before she was declaring, "What an imagination you have!" All the better to fool you with. It's hard not to feel sorry for Karoly Makk, whose best work—notably in his 1982 lesbians-versus-Commies picture, "Another Way"—has just the sort of abrasive intentness that should suit the irate Dostoyevsky. As if to fight off the soporific dialogue, Makk keeps jabbing the movie awake with unexpected dissolves; when Polina is pushed away by her French lover, the action is repeated by instant replay, with the doubleness driving home the hurt. Best of all is the General's mother, who merrily squanders her own gold. She is played by Luise Rainer, who won back-to-back Oscars for Best Actress in 1936 and 1937 and has not made a movie in fifty-six years. Here she has a high old time, under a hat of cascading feathers; but the last sight of her is a devastating freeze, and we suddenly see how everything, even the childish fever of the gambler, will die away in time. ♦

8x10 CRYPTIC

NO. 100 BY TRIP PAYNE



ACROSS

- 1 Breezes heading west around slender island (3,5)
- 7 Impair Florida city's comeback, for the most part (4)
- 9 Small bird that hurt the French teacher's head (5)
- 10 Further modify register at fair (8)
- 11 Wise guy has initially ridiculed army officer's nickname (5)
- 13 Farm seen in outer Anchorage (5)
- 15 Fleeing methanol liquid (2,3,3)
- 17 TV carpenter maintains large country estate (5)
- 18 Brother beginning to moan about kindergarten (4)
- 19 Ate crackers teen digs (8)

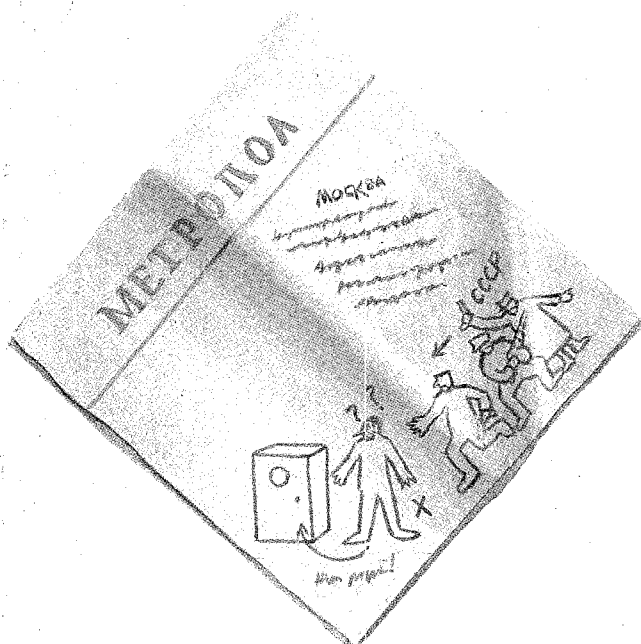
DOWN

- 1 Matador enters very minute area where supplies are kept (9)
- 2 Bananas now are Ivanhoe's love (6)
- 3 English city shows the way, they say (5)
- 4 Center of attention at university rally, of course (9)
- 5 Teases children (4)
- 6 Parading lively dance around Mom's sister (9)
- 8 I objectively designate assistant traffic officer (5,4)
- 12 Leave "the greatest" English soccer player (6)
- 14 Estate recipients head away from the tax agency (5)
- 16 Nobody shortened lunch hour (4)

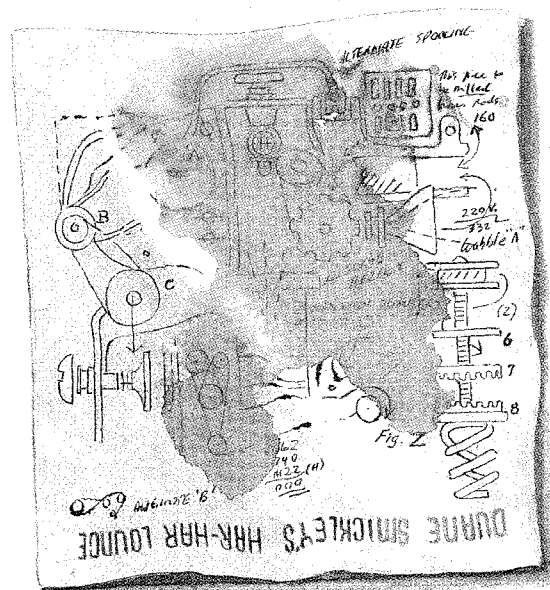
The solution to puzzle No. 99 appears on page 89. For a free copy of "The New Yorker's Guide to Solving Cryptic Crosswords," please send your fax number or a stamped, self-addressed envelope to "Solvers' Guide," The New Yorker, 20 West 43rd Street, New York, N.Y. 10036. For an electronic version, send an E-mail to puzzleguide@newyorker.com.

THE BACK PAGE BY BRUCE McCALL

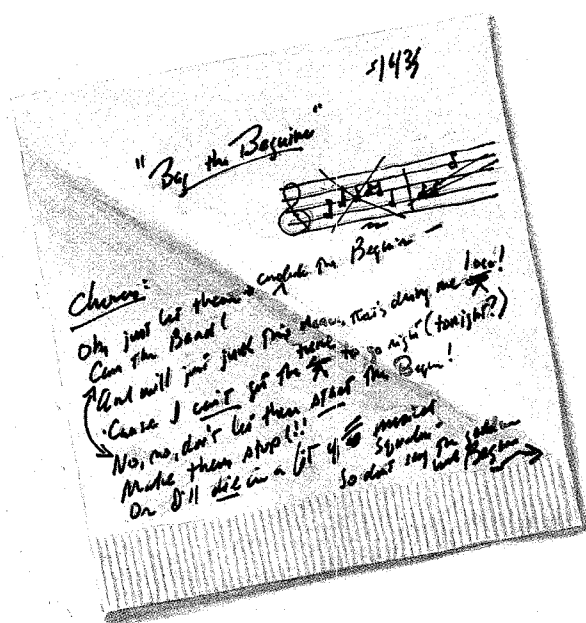
FOUR COCKTAIL NAPKINS THAT FAILED TO SHAKE THE WORLD



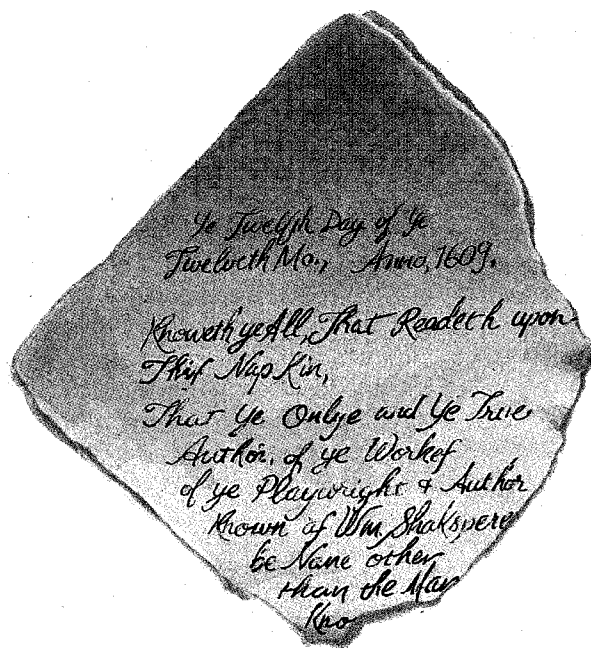
1959 Clever, Ivan, but not quite clever enough. A routine C.I.A. search of trash from a K.G.B.-frequented Moscow hotel turned up this diagram of a daring plan to stuff U.S. Vice-President Nixon into a washing machine moments before his meeting with Premier Khrushchev. All appliances were quickly unplugged, squelching a surefire Soviet propaganda coup.



1962 Amateur inventor Gaston Venables' hastily scribbled diagram of the first 3-D Cinerama home-movie camera-projector, powered by the static electricity in ordinary hosiery, was rendered illegible after Venables spilled his rum-and-Coke all over it. Despite desperate efforts, which consumed the rest of his life, he could never reconstruct his flash of creative genius.



1936 "Bag the Beguine," a false start, written by a tipsy and creatively exhausted Cole Porter while recuperating at Nice. The coruscatingly downbeat lyric—"Oh, just let them conclude the Beguine, fire the band . . . and we'll just junk this dance that's driving me loco"—gives us a picture of the blocked songsmith at his most frustrating and least inventive.



1609 This patch of leather is the world's oldest known cocktail napkin, originating at Ye Globe Ale House. "Knoweth ye All That Readeth upon This Nap Kin [sic], That Ye Onlye and Ye True Author of ye Workef of ye Playwright & Author Known of Wm. Shakspeare [sic] be None other than the Man Known— and there, tantalizingly, the author runs out of room.

“Never invest in anything that eats or needs repairing.”

— Billy Rose, Theatrical Producer

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